

By the Committee on Criminal Justice; and Senator Berman

591-01743-26

2026298c1

A bill to be entitled
An act relating to public records; amending s.
741.465, F.S.; providing that certain identifying
information of victims of dating violence who
participate in the Address Confidentiality Program for
Victims of Domestic and Dating Violence which are held
by the Office of the Attorney General or contained in
voter registration or voting records held by the
supervisor of elections or the Department of State are
exempt from public records requirements; providing for
retroactive application; providing for future
legislative review and repeal; providing statements of
public necessity; providing a contingent effective
date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 741.465, Florida Statutes, is amended to
read:

741.465 Public records exemption for the Address
Confidentiality Program for Victims of Domestic and Dating
Violence.—

(1) For purposes of this section, the term "address" means
a residential street address, school address, or work address,
as specified on the individual's application to be a program
participant in the Address Confidentiality Program for Victims
of Domestic and Dating Violence.

(2)~~(1)~~ The addresses, corresponding telephone numbers, and
social security numbers of program participants in the Address

591-01743-26

2026298c1

Confidentiality Program for Victims of Domestic and Dating Violence held by the Office of the Attorney General are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except the information may be disclosed under the following circumstances: to a law enforcement agency for purposes of assisting in the execution of a valid arrest warrant; if directed by a court order, to a person identified in the order; or if the certification has been canceled. ~~For purposes of this section, the term "address" means a residential street address, school address, or work address, as specified on the individual's application to be a program participant in the Address Confidentiality Program for Victims of Domestic Violence.~~

(3)~~(2)~~ The names, addresses, and telephone numbers of participants in the Address Confidentiality Program for Victims of Domestic and Dating Violence contained in voter registration and voting records held by the supervisor of elections and the Department of State are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except the information may be disclosed under the following circumstances: to a law enforcement agency for purposes of assisting in the execution of an arrest warrant or, if directed by a court order, to a person identified in the order. This exemption applies to information made exempt by this subsection before, on, or after the effective date of the exemption.

(4)(a) Subsections (2) and (3) apply to records held by the Office of the Attorney General, the Department of State, and each supervisor of elections before, on, or after the effective date of the exemptions.

591-01743-26

2026298c1

59 **(b) This section is subject to the Open Government Sunset**
60 **Review Act in accordance with s. 119.15 and shall stand repealed**
61 **on October 2, 2031, unless reviewed and saved from repeal**
62 **through reenactment by the Legislature.**

63 Section 2. **(1) The Legislature finds that it is a public**
64 **necessity that the addresses, corresponding telephone numbers,**
65 **and social security numbers of victims of dating violence who**
66 **participate in the Address Confidentiality Program for Victims**
67 **of Domestic and Dating Violence held by the Office of the**
68 **Attorney General be made exempt from s. 119.07(1), Florida**
69 **Statutes, and s. 24(a), Article I of the State Constitution. The**
70 **Legislature recognizes that greater protection is needed for**
71 **victims of dating violence, similar to that currently afforded**
72 **to victims of domestic violence, to prevent harm from assailants**
73 **or probable assailants who are attempting to find them. The**
74 **Legislature finds that release of such information could**
75 **significantly threaten the physical safety and security of**
76 **victims of dating violence who participate in the program and**
77 **that the harm that may result from the release of the**
78 **information outweighs any public benefit that might result from**
79 **public disclosure of the information.**

80 **(2) The Legislature finds that it is a public necessity**
81 **that the names, addresses, and telephone numbers contained in**
82 **voter registration and voting records of victims of dating**
83 **violence who participate in the Address Confidentiality Program**
84 **for Victims of Domestic and Dating Violence held by the**
85 **supervisor of elections and the Department of State be made**
86 **exempt from s. 119.07(1), Florida Statutes, and s. 24(a),**
87 **Article I of the State Constitution. Victims of dating violence**

591-01743-26

2026298c1

88 who are participants in the program will have demonstrated to
89 the Office of the Attorney General that there exists a risk to
90 their physical safety and security. Nonetheless, these program
91 participants must be afforded the ability to participate in
92 society and cast a vote in elections. However, the supervisor of
93 elections must have a verifiable address for a program
94 participant in order to place the participant in the proper
95 voting district and to maintain accurate records for compliance
96 with state and federal requirements. The public record exemption
97 for the name of a victim of dating violence who is a participant
98 in the program is a public necessity because access to such name
99 narrows the location of that participant to his or her voting
100 area. In addition, access to such participant's address and
101 telephone number provides specific location and contact
102 information for the participant. Therefore, access to the
103 participant's name, address, and telephone number defeats the
104 sole purpose of the Address Confidentiality Program for Victims
105 of Domestic and Dating Violence, which is to provide safety and
106 security to every participant.

107 Section 3. This act shall take effect on the same date that
108 SB 296 or similar legislation takes effect, if such legislation
109 is adopted in the same legislative session or an extension
110 thereof and becomes a law.