

By the Committee on Criminal Justice; and Senators Berman and Smith

591-01742-26

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A bill to be entitled

An act relating to victims of domestic violence and dating violence; defining terms; requiring the Division of Telecommunications within the Department of Management Services to consult with certain entities to conduct a feasibility study regarding a specified alert system; providing requirements for such alert system; requiring the division to report to the Legislature the results of the feasibility study by a specified date; amending s. 741.401, F.S.; revising legislative findings to include victims of dating violence; reordering and amending s. 741.402, F.S.; defining the term "dating violence"; amending s. 741.403, F.S.; authorizing victims of dating violence to apply to participate in the Attorney General's address confidentiality program; amending s. 741.408, F.S.; requiring the Attorney General to designate certain entities to assist victims of dating violence applying to be address confidentiality program participants; amending ss. 741.4651 and 960.001, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Domestic and dating violence 911 alert system feasibility study.-

(1) As used in this section, the term:

(a) "Division" means the Division of Telecommunications

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30 within the Department of Management Services.

31 (b) "Enhanced 911" has the same meaning as in s.  
32 365.172(3), Florida Statutes.

33 (c) "Next Generation 911" has the same meaning as in s.  
34 365.172(3), Florida Statutes.

35 (d) "Public safety agency" has the same meaning as in s.  
36 365.172(3), Florida Statutes.

37 (e) "Public safety answering point" or "PSAP" has the same  
38 meaning as in s. 365.172(3), Florida Statutes.

39 (2) The division shall consult with enhanced 911 and Next  
40 Generation 911 service providers; state, county, and municipal  
41 PSAPs; and state and local public safety agencies to conduct a  
42 feasibility study regarding the creation of a web-based 911  
43 alert system for use by victims of domestic violence and dating  
44 violence which is capable of:

45 (a) Ensuring real-time data-sharing between PSAPs and law  
46 enforcement agencies.

47 (b) Creating a unique telephone number for each user which  
48 will connect the user to a PSAP.

49 (c) Creating a user-generated numerical code or phrase that  
50 can be utilized by the user after contacting a PSAP and that  
51 indicates the user's need for immediate law enforcement  
52 assistance.

53 (d) Transmitting specified data to law enforcement agencies  
54 when a user calls from his or her unique telephone number and  
55 enters his or her numerical code or phrase.

56 (3) By January 31, 2027, the division shall report to the  
57 President of the Senate and the Speaker of the House of  
58 Representatives the results of the feasibility study.

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59       Section 2. Section 741.401, Florida Statutes, is amended to  
60 read:

61       741.401 Legislative findings; purpose.—The Legislature  
62 finds that persons attempting to escape from actual or  
63 threatened domestic violence or dating violence frequently  
64 establish new addresses in order to prevent their assailants or  
65 probable assailants from finding them. The purpose of ss.  
66 741.401-741.409 is to enable state and local agencies to respond  
67 to requests for public records without disclosing the location  
68 of a victim of domestic violence or dating violence, to enable  
69 interagency cooperation with the Attorney General in providing  
70 address confidentiality for victims of domestic violence and  
71 dating violence, and to enable state and local agencies to  
72 accept a program participant's use of an address designated by  
73 the Attorney General as a substitute mailing address.

74       Section 3. Section 741.402, Florida Statutes, is reordered  
75 and amended to read:

76       741.402 Definitions; ss. 741.401-741.409.—Unless the  
77 context clearly requires otherwise, as used in ss. 741.401-  
78 741.409, the term:

79       (1) "Address" means a residential street address, school  
80 address, or work address of an individual, as specified on the  
81 individual's application to be a program participant under ss.  
82 741.401-741.409.

83       ~~(4)(2)~~ "Program participant" means a person certified as a  
84 program participant under s. 741.403.

85       (2) "Dating violence" means any assault, aggravated  
86 assault, battery, aggravated battery, sexual assault, sexual  
87 battery, stalking, aggravated stalking, kidnapping, false

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imprisonment, or any criminal offense resulting in physical injury or death, or the threat of any such act, committed by an individual who has or has had a continuing and significant relationship of a romantic or intimate nature as determined by the factors listed in s. 784.046(1)(d) with the victim, regardless of whether these acts or threats have been reported to law enforcement officers.

(3) "Domestic violence" means an act as defined in s. 741.28 and includes a threat of such acts committed against an individual in a domestic situation, regardless of whether these acts or threats have been reported to law enforcement officers.

Section 4. Paragraphs (a) and (d) of subsection (1) of section 741.403, Florida Statutes, are amended to read:

741.403 Address confidentiality program; application; certification.—

(1) An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of a person adjudicated incapacitated under chapter 744 may apply to the Attorney General to have an address designated by the Attorney General serve as the person's address or the address of the minor or incapacitated person. To the extent possible within funds appropriated for this purpose, the Attorney General shall approve an application if it is filed in the manner and on the form prescribed by the Attorney General and if it contains all of the following:

(a) A sworn statement by the applicant that the applicant has good reason to believe that the applicant, or the minor or incapacitated person on whose behalf the application is made, is a victim of domestic violence or dating violence, and that the

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117 applicant fears for his or her safety or his or her children's  
118 safety or the safety of the minor or incapacitated person on  
119 whose behalf the application is made.

120 (d) A statement that the new address or addresses that the  
121 applicant requests must not be disclosed for the reason that  
122 disclosure will increase the risk of domestic violence or dating  
123 violence.

124 Section 5. Section 741.408, Florida Statutes, is amended to  
125 read:

126 741.408 Assistance for program applicants.—The Attorney  
127 General shall designate state and local agencies and nonprofit  
128 agencies that provide counseling and shelter services to victims  
129 of domestic violence and dating violence to assist persons  
130 applying to be program participants. Assistance and counseling  
131 rendered by the Office of the Attorney General or its designees  
132 to applicants does not constitute legal advice.

133 Section 6. Section 741.4651, Florida Statutes, is amended  
134 to read:

135 741.4651 Public records exemption; victims of stalking or  
136 aggravated stalking.—The names, addresses, and telephone numbers  
137 of persons who are victims of stalking or aggravated stalking  
138 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
139 Constitution in the same manner that the names, addresses, and  
140 telephone numbers of participants in the Address Confidentiality  
141 Program for Victims of Domestic and Dating Violence which are  
142 held by the Attorney General under s. 741.465 are exempt from  
143 disclosure, provided that the victim files a sworn statement of  
144 stalking with the Office of the Attorney General and otherwise  
145 complies with the procedures in ss. 741.401-741.409.

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146 Section 7. Paragraph (c) of subsection (1) of section  
147 960.001, Florida Statutes, is amended to read:

148 960.001 Guidelines for fair treatment of victims and  
149 witnesses in the criminal justice and juvenile justice systems.—

150 (1) The Department of Legal Affairs, the state attorneys,  
151 the Department of Corrections, the Department of Juvenile  
152 Justice, the Florida Commission on Offender Review, the State  
153 Courts Administrator and circuit court administrators, the  
154 Department of Law Enforcement, and every sheriff's department,  
155 police department, or other law enforcement agency as defined in  
156 s. 943.10(4) shall develop and implement guidelines for the use  
157 of their respective agencies, which guidelines are consistent  
158 with the purposes of this act and s. 16(b), Art. I of the State  
159 Constitution and are designed to implement s. 16(b), Art. I of  
160 the State Constitution and to achieve the following objectives:

161 (c) *Information concerning protection available to victim*  
162 *or witness.*—A victim or witness shall be furnished, as a matter  
163 of course, with information on steps that are available to law  
164 enforcement officers and state attorneys to protect victims and  
165 witnesses from intimidation. Victims of domestic violence and  
166 dating violence shall also be given information about the  
167 address confidentiality program provided under s. 741.403.

168 Section 8. This act shall take effect July 1, 2026.