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1  
2 An act relating to public records; amending s.  
3 741.465, F.S.; providing that certain identifying  
4 information of victims of dating violence who  
5 participate in the Address Confidentiality Program for  
6 Victims of Domestic and Dating Violence which are held  
7 by the Office of the Attorney General or contained in  
8 voter registration or voting records held by the  
9 supervisor of elections or the Department of State are  
10 exempt from public records requirements; providing for  
11 retroactive application; providing for future  
12 legislative review and repeal; providing statements of  
13 public necessity; providing a contingent effective  
14 date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. Section 741.465, Florida Statutes, is amended to  
19 read:

20 741.465 Public records exemption for the Address  
21 Confidentiality Program for Victims of Domestic and Dating  
22 Violence.—

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

28 (2)~~(1)~~ The addresses, corresponding telephone numbers, and  
29 social security numbers of program participants in the Address

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

43 (3)~~(2)~~ The names, addresses, and telephone numbers of  
44 participants in the Address Confidentiality Program for Victims  
45 of Domestic and Dating Violence contained in voter registration  
46 and voting records held by the supervisor of elections and the  
47 Department of State are exempt from s. 119.07(1) and s. 24(a),  
48 Art. I of the State Constitution, except the information may be  
49 disclosed under the following circumstances: to a law  
50 enforcement agency for purposes of assisting in the execution of  
51 an arrest warrant or, if directed by a court order, to a person  
52 identified in the order. This exemption applies to information  
53 made exempt by this subsection before, on, or after the  
54 effective date of the exemption.

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

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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

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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.