

HB 927

2016

1                   A bill to be entitled  
2           An act relating to public records; creating s.  
3           790.2335, F.S.; exempting records containing  
4           identifying data of either the respondent, petitioner,  
5           or recipient of firearms relinquished pursuant  
6           provisions relating to injunctions against domestic  
7           violence, stalking, or cyberstalking; providing for  
8           future legislative review and repeal of the  
9           exemptions; providing a statement of public necessity;  
10          providing a contingent effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Section 790.2335, Florida Statutes, is created  
15 to read:

16           790.2335 Public records exemption; records concerning  
17 firearms relinquished pursuant to a domestic violence, stalking,  
18 or cyberstalking injunction.—Records, data, information, or  
19 reports containing the name, address, other identifying data of  
20 either the respondent, petitioner, or recipient of firearms  
21 relinquished pursuant to s. 741.30(6)(g) or s. 784.0485(6)(e) or  
22 records that contain the make, model, caliber, serial number, or  
23 other identifying data of any firearm which are required,  
24 authorized, or maintained pursuant to s. 741.30(6)(g) or s.  
25 784.0485(6)(e) are confidential and exempt from s. 119.07(1) and  
26 s. 24(a), Art. I of the State Constitution. This section is

27 subject to the Open Government Sunset Review Act in accordance  
28 with s. 119.15 and shall stand repealed on October 2, 2021,  
29 unless reviewed and saved from repeal through reenactment by the  
30 Legislature.

31 Section 2. It is the finding of the Legislature that it is  
32 a public necessity that records, data, information, or reports  
33 containing the name, address, other identifying data of the  
34 respondent, petitioner, or recipient of firearms relinquished  
35 pursuant to s. 741.30(6)(g) or s. 784.0485(6)(e), Florida  
36 Statutes, or records that contain the make, model, caliber,  
37 serial number, or other identifying data of any firearm which  
38 are required, authorized, or maintained pursuant to s.  
39 741.30(6)(g) or s. 784.0485(6)(e), Florida Statutes, be held  
40 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
41 Article I of the State Constitution. Such information concerning  
42 a petitioner, if publicly available, could expose the victims of  
43 domestic violence, repeat violence, sexual violence, and dating  
44 violence to public humiliation and shame and could inhibit the  
45 victim from availing herself or himself of relief provided under  
46 state law. If such information concerning petitioners was  
47 publicly available, it could be used by the partner or former  
48 partner of the victim of domestic violence, repeat violence,  
49 sexual violence, or dating violence to determine the location of  
50 the victim, thus placing the victim in jeopardy. Additionally,  
51 information concerning the recipient or owner of firearms or  
52 identifying the firearms themselves could encourage the theft of

HB 927

2016

53 the firearms and could possibly lead to their use in future  
54 crimes.

55 Section 3. This act shall take effect on the same date  
56 that HB 925 or similar legislation relating to relinquishing  
57 firearms pursuant to a domestic violence, stalking, or  
58 cyberstalking injunction takes effect, if such legislation is  
59 adopted in the same legislative session or an extension thereof  
60 and becomes a law.