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February 28, 2019

The Honorable Brett Thomas Hage
Florida House of Representatives
402 South Monroe Street, Room 1101 Cap
Tallahassee, FL 32399-1300

Re: HB 845 Exemption/Protective Injunctions

Dear Representative Hage:

We are writing to express our concerns regarding HB 845, creating a public record exemption for all information contained in certain protective injunctions, as well as affidavits, notices of hearing, and temporary injunctions. Once the respondent is served, the records are subject to disclosure.

What happens if the respondent, for whatever reason, cannot be served? The bill is silent on this point. We would suggest HB 845 be amended to clarify once it is determined that the respondent cannot be served or a court dismisses the petition or temporary injunction, the petition and related documents are then subject to disclosure. Such language would be consistent with the exemption for search warrants under Rule 2.420, Fla. Rule of Judicial Administration.

We appreciate your attention to our concerns, Rep. Hage. If you or staff any questions, please don't hesitate to contact us.

Sincerely,

Barbara A. Petersen, President

Cc: The Honorable Jose Oliva, Speaker, Florida House of Representatives