

MEMORANDUM

Agenda Item No. 11(A)(5)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: February 17, 2021

FROM: Geri Bonzon-Keenan
Successor County Attorney

SUBJECT: Resolution urging the Florida
Legislature to enact Senate Bill
70 or similar legislation that
would establish criminal
penalties for the malicious
disclosure of information
revealing the location of a
domestic violence center
certified under section 39.905,
Florida Statutes

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



Geri Bonzon-Keenan
Successor County Attorney

GBK/uw




MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: February 17, 2021

FROM: 
Gen Bonzon-Keenan
Successor County Attorney

SUBJECT: Agenda Item No. 11(A)(5)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(5)
2-17-21

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ENACT SENATE BILL 70 OR SIMILAR LEGISLATION THAT
WOULD ESTABLISH CRIMINAL PENALTIES FOR THE
MALICIOUS DISCLOSURE OF INFORMATION REVEALING
THE LOCATION OF A DOMESTIC VIOLENCE CENTER
CERTIFIED UNDER SECTION 39.905, FLORIDA STATUTES

WHEREAS, Senate Bill 70 (“SB 70”) was filed for consideration during the 2021 session of the Florida Legislature by Senator Ileana Garcia (R – Miami); and

WHEREAS, pursuant to SB 70 any person who maliciously publishes, disseminates, or discloses any descriptive information or image that may identify the location of a domestic violence center, certified under section 39.905, Florida Statutes, or who otherwise maliciously discloses the location of a domestic violence center may be guilty of committing a misdemeanor of the first degree; and

WHEREAS, a certified domestic violence center is an agency whose primary mission is to provide services to victims of domestic violence and that meets the criteria set forth for certification in section 39.905, Florida Statutes, including, but not limited to, providing a facility which will serve as a center to receive and house victims of domestic violence; and

WHEREAS, section 39.908(1), Florida Statutes, makes information about the location of certified domestic violence centers confidential and exempt from disclosure under Florida’s public records law, section 119.07(1), Florida Statutes; and

WHEREAS, there is currently no criminal penalty for maliciously revealing the locations of certified domestic violence centers; and

WHEREAS, this Board desires to protect survivors of domestic violence by ensuring that the locations of certified domestic violence centers -- where survivors seek refuge for themselves and their children and other dependents -- is not known to their abusers; and

WHEREAS, SB 70 takes an important step in further protecting survivors of domestic violence and their children and other dependents by creating criminal penalties for the malicious disclosure of information revealing the locations of certified domestic violence centers,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to enact Senate Bill 70 or similar legislation that would establish criminal penalties for the malicious disclosure of information revealing the location of a domestic violence center certified under section 39.905, Florida Statutes.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, Senator Ileana Garcia, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the passage of the legislation set forth in section 1, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2021 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman

Oliver G. Gilbert, III, Vice-Chairman

Sen. René García

Sally A. Heyman

Eileen Higgins

Kionne L. McGhee

Raquel A. Regalado

Sen. Javier D. Souto

Keon Hardemon

Danielle Cohen Higgins

Joe A. Martinez

Jean Monestime

Rebeca Sosa


The Chairperson thereupon declared this resolution duly passed and adopted this 17th day of February, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Brenda Kuhns Neuman