

HOUSE RESEARCH

Bill Summary

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Overview

This bill modifies provisions related to the Safe at Home Address Confidentiality Program.

The Safe at Home Address Confidentiality Program is administered by the Secretary of State, and provides individuals who fear for their personal safety an opportunity to prevent or reduce public disclosure of an individual's address and certain other information.

Section

- 1** **Legal proceedings; protective order.** Provides that a person or entity may not be compelled to disclose the actual address of a participant in the Safe at Home Address Confidentiality Program in a legal proceeding, unless the court or tribunal determines that there is reason to believe that the matter cannot proceed without disclosure, and there is no other practicable way of obtaining the information or evidence. The court must provide notice to the program participant of the requested disclosure and give the participant an opportunity to present evidence of any potential harm to the participant due to the disclosure. The court must determine whether the interest in disclosure outweighs the harm to the program participant's safety. In a criminal proceeding, the court must order disclosure if protecting the address would violate the defendant's constitutional confrontation rights.
- The order for disclosure must be limited to ensure that the address is disclosed no wider than that necessary for purposes of the investigation, prosecution, or litigation.

Section

This section maintains the existing permissive authority for a court or tribunal to issue a protective order to prevent disclosure of information that could reasonably lead to the discovery of a participant's location.

- 2 **Discoverability of not public data.** Requires consideration of potential Safe at Home data protections when not public data are considered for release during the discovery phase of a legal proceeding.