

By Senator Forman

32-1452A-00

1 A bill to be entitled
2 An act relating to public records; providing an
3 exemption from the public records requirements
4 for information that reveals the identify of
5 applicants and recipients of child-support
6 services in the possession of a non-Title IV-D
7 county child-support-enforcement agency;
8 providing for future legislative review and
9 repeal; providing a finding of public
10 necessity; providing an effective date.

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

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14 Section 1. (1) Any information that reveals the
15 identify of applicants for or recipients of child-support
16 services, including the name, address, and telephone number of
17 such persons, in the possession of a non-Title IV-D county
18 child-support-enforcement agency is confidential and exempt
19 from public disclosure pursuant to section 119.07(1), Florida
20 Statutes, and Section 24(a) of Article I of the State
21 Constitution. The use or disclosure of such information by the
22 non-Title IV-D county child-support-enforcement agency is
23 limited to the purposes directly connected with:

24 (a) Any investigation, prosecution, or criminal or
25 civil proceeding connected with the administration of any
26 non-Title IV-D county child-support-enforcement program; and

27 (b) Mandatory disclosure of identifying and location
28 information as provided in section 61.13(9), Florida Statutes,
29 by the non-Title IV-D county child-support-enforcement agency
30 when providing non-Title IV-D services.

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1 (2) The county child-support-enforcement agency shall
2 not disclose information that identifies by name and address
3 an applicant or recipient of child-support services or the
4 whereabouts of such party or child to another person against
5 whom a protective order with respect to the former party or
6 the child has been entered if the county agency has reason to
7 believe that the release of information to such person could
8 result in physical or emotional harm to the party or the
9 child.

10 (3) This section is subject to the Open Government
11 Sunset Review Act of 1995 in accordance with section 119.15,
12 Florida Statutes, and shall stand repealed on October 2, 2005,
13 unless reviewed and saved from repeal through reenactment by
14 the Legislature.

15 Section 2. The Legislature finds that it is a public
16 necessity to exempt from disclosure pursuant to section
17 119.07(1), Florida Statutes, and Section 24 of Article I of
18 the State Constitution, all identifying information concerning
19 applicants for and recipients of child-support services which
20 is in the possession of non-Title IV-D county
21 child-support-enforcement agencies. The Legislature recognizes
22 that all persons served by a non-Title IV-D county
23 child-support-enforcement agency are eligible to receive
24 services from the Department of Revenue, the state's Title
25 IV-D agency. The Legislature further recognizes that
26 information concerning applicants for and recipients of
27 child-support services who are served by these county agencies
28 would otherwise be exempt from disclosure pursuant to section
29 409.2579, Florida Statutes, if served by the Department of
30 Revenue. Therefore, because provision of child-support
31 services by such county agencies provides a useful and

1 appropriate alternative to the child-support services provided
2 by the state, the Legislature finds that persons served by
3 such county agencies should be entitled to similar disclosure
4 protections afforded to persons receiving child-support
5 services from the state. Additionally, the Legislature finds
6 that many of the child-support-enforcement cases handled by
7 these agencies are also domestic violence cases. In such
8 cases, agency clients have been subjected to domestic violence
9 or abuse and fear for their lives and those of their minor
10 children. The Legislature further finds that federal and state
11 law currently prohibit the disclosure of information
12 concerning clients served by the Title IV-D cases when a
13 protective order has been issued or the Title IV-D agency has
14 reason to believe that disclosure of information may result in
15 physical or emotional harm to the client or child and wishes
16 to extend similar protections to the clients of non-Title IV-D
17 county child-support-enforcement agencies. Therefore, the
18 Legislature determines that public disclosure, of the
19 information concerning applicants for, or recipients of
20 child-support services from county child-support-enforcement
21 agencies is outweighed by the risk of harm to the persons and
22 children and that there is present need to exempt such
23 information from disclosure under the public records laws of
24 this state.

25 Section 3. This act shall take effect July 1, 2000.
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SENATE SUMMARY

Provides an exemption from the public records requirements for information that reveals the identity of applicants and recipients of child-support services in the possession of a non-Title IV-D county child-support-enforcement agency. Provides for future legislative review and repeal. Provides a finding of public necessity.