

By the Committee on Rules & Calendar and Representative  
Byrd

1                                   A bill to be entitled  
2           An act relating to the Florida Statutes;  
3           repealing various statutory provisions that  
4           have become obsolete, have had their effect,  
5           have served their purpose, or have been  
6           impliedly repealed or superseded; amending s.  
7           39.001, F.S.; deleting a provision requiring  
8           development by a specified date of a state plan  
9           for the prevention of abuse, abandonment, and  
10          neglect of children; amending s. 39.0015, F.S.;  
11          deleting intent with respect to the Child Abuse  
12          Prevention Training Act of 1985; amending s.  
13          390.01115, F.S.; revising a cross reference, to  
14          conform; repealing s. 39.3065(2) and (4), F.S.,  
15          relating to implementation of the transfer of  
16          child protective investigative services to the  
17          sheriffs of Pasco, Manatee, and Pinellas  
18          Counties and to the duty of the sheriff of  
19          Broward County to perform the same services in  
20          fiscal year 1999-2000; repealing s. 39.817,  
21          F.S., relating to a foster care privatization  
22          demonstration pilot project; repealing s.  
23          39.824(1), F.S., relating to adoption of rules  
24          of juvenile procedure by the Supreme Court to  
25          implement pt. X, ch. 39, F.S., relating to  
26          guardians ad litem and guardian advocates;  
27          repealing s. 61.001, F.S., relating to the  
28          purpose of ch. 61, F.S., relating to  
29          dissolution of marriage, support, and custody;  
30          repealing s. 61.043(2), F.S., relating to  
31          informational questionnaires required upon

1 filing for dissolution of marriage; repealing  
2 s. 61.181(11) and (12), F.S., relating to an  
3 audit of the central child support enforcement  
4 depositories and an evaluation of the Dade  
5 County and Manatee County Child Support  
6 Enforcement demonstration projects; repealing  
7 s. 61.1812(2)(b) and (3), F.S., relating to  
8 obsolete funding provisions of the Child  
9 Support Incentive Trust Fund; repealing s.  
10 61.182, F.S., relating to the Child Support  
11 Depository Trust Fund; amending s. 61.1826,  
12 F.S.; deleting findings with respect to  
13 procurement of services for the State  
14 Disbursement Unit and the non-Title IV-D  
15 component of the State Case Registry; repealing  
16 s. 63.022, F.S., relating to intent with  
17 respect to the Florida Adoption Act; amending  
18 ss. 402.165 and 402.166, F.S.; removing cross  
19 references, to conform; repealing s. 63.043,  
20 F.S., relating to a prohibition on mandatory  
21 screening or testing for sickle-cell trait;  
22 repealing s. 409.152(1), F.S., relating to  
23 intent with respect to family preservation;  
24 repealing s. 409.2551, F.S., relating to intent  
25 with respect to child support; amending ss.  
26 61.13015, 61.14, 231.097, 328.42, 409.2598,  
27 455.203, 455.521, and 559.79, F.S., relating to  
28 suspension or denial of various licenses,  
29 registrations, and certificates for delinquent  
30 child support obligations; removing purpose  
31 statements incorporating such intent, to

1 conform; amending ss. 39.01, 409.2554, 984.03,  
2 and 985.03, F.S.; revising cross references, to  
3 conform; repealing s. 409.25575(1), F.S.,  
4 relating to intent with respect to  
5 privatization of child support enforcement  
6 services; repealing s. 409.2559, F.S., relating  
7 to the requirement to establish and operate a  
8 state disbursement unit by a specified date;  
9 repealing ch. 708, F.S., relating to married  
10 women's property; repealing ss. 741.03055 and  
11 741.03056, F.S., relating to review of  
12 premarital preparation courses, creation of  
13 pilot programs, development and use of an  
14 informational questionnaire, and creation of a  
15 curriculum; repealing s. 741.2902, F.S.,  
16 relating to intent with respect to the  
17 judiciary's role in domestic violence cases;  
18 repealing s. 741.32(1), F.S., relating to  
19 intent with respect to certification of  
20 batterers' intervention programs; repealing s.  
21 741.401, F.S., relating to intent with respect  
22 to the domestic violence address  
23 confidentiality program; amending ss. 741.402  
24 and 741.405, F.S.; revising cross references,  
25 to conform; repealing s. 751.01, F.S., relating  
26 to intent with respect to temporary custody of  
27 minor children by extended families; amending  
28 ss. 49.011, 751.011, and 751.04, F.S.; revising  
29 cross references, to conform; repealing s.  
30 753.004, F.S., relating to supervised  
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1           visitation projects; providing an effective  
2           date.

3

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

5

6           Section 1. Subsection (7) and paragraph (b) of  
7 subsection (8) of section 39.001, Florida Statutes, are  
8 amended to read:

9           39.001 Purposes and intent; personnel standards and  
10 screening.--

11           (7) PLAN FOR COMPREHENSIVE APPROACH.--

12           ~~(a) The department shall develop a state plan for the~~  
13 ~~prevention of abuse, abandonment, and neglect of children and~~  
14 ~~shall submit the plan to the Speaker of the House of~~  
15 ~~Representatives, the President of the Senate, and the Governor~~  
16 ~~no later than January 1, 1983. The Department of Education and~~  
17 ~~the Division of Children's Medical Services of the Department~~  
18 ~~of Health shall participate and fully cooperate in the~~  
19 ~~development of the state plan at both the state and local~~  
20 ~~levels. Furthermore, appropriate local agencies and~~  
21 ~~organizations shall be provided an opportunity to participate~~  
22 ~~in the development of the state plan at the local level.~~  
23 ~~Appropriate local groups and organizations shall include, but~~  
24 ~~not be limited to, community mental health centers; guardian~~  
25 ~~ad litem programs for children under the circuit court; the~~  
26 ~~school boards of the local school districts; the district~~  
27 ~~human rights advocacy committees; private or public~~  
28 ~~organizations or programs with recognized expertise in working~~  
29 ~~with children who are sexually abused, physically abused,~~  
30 ~~emotionally abused, abandoned, or neglected and with expertise~~  
31 ~~in working with the families of such children; private or~~

1 ~~public programs or organizations with expertise in maternal~~  
2 ~~and infant health care; multidisciplinary child protection~~  
3 ~~teams; child day care centers; law enforcement agencies, and~~  
4 ~~the circuit courts, when guardian ad litem programs are not~~  
5 ~~available in the local area. The state plan to be provided to~~  
6 ~~the Legislature and the Governor shall include, as a minimum,~~  
7 ~~the information required of the various groups in paragraph~~  
8 ~~(b).~~

9       ~~(b)~~ The development of the comprehensive state plan  
10 shall be accomplished in the following manner:

11       (a)~~†~~. The department shall establish an interprogram  
12 task force comprised of the Assistant Secretary for Children  
13 and Family Services, or a designee, a representative from the  
14 Children and Families Program Office, a representative from  
15 the Alcohol, Drug Abuse, and Mental Health Program Office, a  
16 representative from the Developmental Services Program Office,  
17 a representative from the Office of Standards and Evaluation,  
18 and a representative from the Division of Children's Medical  
19 Services of the Department of Health. Representatives of the  
20 Department of Law Enforcement and of the Department of  
21 Education shall serve as ex officio members of the  
22 interprogram task force. The interprogram task force shall be  
23 responsible for:

24       1.a.~~†~~ Developing a plan of action for better  
25 coordination and integration of the goals, activities, and  
26 funding pertaining to the prevention of child abuse,  
27 abandonment, and neglect conducted by the department in order  
28 to maximize staff and resources at the state level. The plan  
29 of action shall be included in the state plan.

30       2.b.~~†~~ Providing a basic format to be utilized by the  
31 districts in the preparation of local plans of action in order

1 to provide for uniformity in the district plans and to provide  
2 for greater ease in compiling information for the state plan.

3 ~~3.e.~~ Providing the districts with technical assistance  
4 in the development of local plans of action, if requested.

5 ~~4.d.~~ Examining the local plans to determine if all the  
6 requirements of the local plans have been met and, if they  
7 have not, informing the districts of the deficiencies and  
8 requesting the additional information needed.

9 ~~5.e.~~ Preparing the state plan for submission to the  
10 Legislature and the Governor. Such preparation shall include  
11 the collapsing of information obtained from the local plans,  
12 the cooperative plans with the Department of Education, and  
13 the plan of action for coordination and integration of  
14 departmental activities into one comprehensive plan. The  
15 comprehensive plan shall include a section reflecting general  
16 conditions and needs, an analysis of variations based on  
17 population or geographic areas, identified problems, and  
18 recommendations for change. In essence, the plan shall  
19 provide an analysis and summary of each element of the local  
20 plans to provide a statewide perspective. The plan shall also  
21 include each separate local plan of action.

22 ~~6.f.~~ Working with the specified state agency in  
23 fulfilling the requirements of paragraphs (b), (c), (d), and  
24 (e) subparagraphs 2., 3., 4., and 5.

25 ~~(b)2.~~ The department, the Department of Education, and  
26 the Department of Health shall work together in developing  
27 ways to inform and instruct parents of school children and  
28 appropriate district school personnel in all school districts  
29 in the detection of child abuse, abandonment, and neglect and  
30 in the proper action that should be taken in a suspected case  
31 of child abuse, abandonment, or neglect, and in caring for a

1 child's needs after a report is made. The plan for  
2 accomplishing this end shall be included in the state plan.

3 (c)~~3~~. The department, the Department of Law  
4 Enforcement, and the Department of Health shall work together  
5 in developing ways to inform and instruct appropriate local  
6 law enforcement personnel in the detection of child abuse,  
7 abandonment, and neglect and in the proper action that should  
8 be taken in a suspected case of child abuse, abandonment, or  
9 neglect.

10 (d)~~4~~. Within existing appropriations, the department  
11 shall work with other appropriate public and private agencies  
12 to emphasize efforts to educate the general public about the  
13 problem of and ways to detect child abuse, abandonment, and  
14 neglect and in the proper action that should be taken in a  
15 suspected case of child abuse, abandonment, or neglect. The  
16 plan for accomplishing this end shall be included in the state  
17 plan.

18 (e)~~5~~. The department, the Department of Education, and  
19 the Department of Health shall work together on the  
20 enhancement or adaptation of curriculum materials to assist  
21 instructional personnel in providing instruction through a  
22 multidisciplinary approach on the identification,  
23 intervention, and prevention of child abuse, abandonment, and  
24 neglect. The curriculum materials shall be geared toward a  
25 sequential program of instruction at the four progressional  
26 levels, K-3, 4-6, 7-9, and 10-12. Strategies for encouraging  
27 all school districts to utilize the curriculum are to be  
28 included in the comprehensive state plan for the prevention of  
29 child abuse, abandonment, and neglect.

30 (f)~~6~~. Each district of the department shall develop a  
31 plan for its specific geographical area. The plan developed

1 at the district level shall be submitted to the interprogram  
2 task force for utilization in preparing the state plan. The  
3 district local plan of action shall be prepared with the  
4 involvement and assistance of ~~the local agencies and~~  
5 ~~organizations listed in paragraph (a), as well as~~  
6 representatives from those departmental district offices  
7 participating in the treatment and prevention of child abuse,  
8 abandonment, and neglect. In order to accomplish this, the  
9 district administrator in each district shall establish a task  
10 force on the prevention of child abuse, abandonment, and  
11 neglect. The district administrator shall appoint the members  
12 of the task force in accordance with the membership  
13 requirements of this section. In addition, the district  
14 administrator shall ensure that each subdistrict is  
15 represented on the task force; and, if the district does not  
16 have subdistricts, the district administrator shall ensure  
17 that both urban and rural areas are represented on the task  
18 force. The task force shall develop a written statement  
19 clearly identifying its operating procedures, purpose, overall  
20 responsibilities, and method of meeting responsibilities. The  
21 district plan of action to be prepared by the task force shall  
22 include, but shall not be limited to:

23 1.a. Documentation of the magnitude of the problems of  
24 child abuse, including sexual abuse, physical abuse, and  
25 emotional abuse, and child abandonment and neglect in its  
26 geographical area.

27 2.b. A description of programs currently serving  
28 abused, abandoned, and neglected children and their families  
29 and a description of programs for the prevention of child  
30 abuse, abandonment, and neglect, including information on the  
31



1 impact, cost-effectiveness, and sources of funding of such  
2 programs.

3 3.e. A continuum of programs and services necessary  
4 for a comprehensive approach to the prevention of all types of  
5 child abuse, abandonment, and neglect as well as a brief  
6 description of such programs and services.

7 4.d. A description, documentation, and priority  
8 ranking of local needs related to child abuse, abandonment,  
9 and neglect prevention based upon the continuum of programs  
10 and services.

11 5.e. A plan for steps to be taken in meeting  
12 identified needs, including the coordination and integration  
13 of services to avoid unnecessary duplication and cost, and for  
14 alternative funding strategies for meeting needs through the  
15 reallocation of existing resources, utilization of volunteers,  
16 contracting with local universities for services, and local  
17 government or private agency funding.

18 6.f. A description of barriers to the accomplishment  
19 of a comprehensive approach to the prevention of child abuse,  
20 abandonment, and neglect.

21 7.g. Recommendations for changes that can be  
22 accomplished only at the state program level or by legislative  
23 action.

24 (8) FUNDING AND SUBSEQUENT PLANS.--

25 (b) The department at the state and district levels  
26 ~~and the other agencies listed in paragraph (7)(a)~~ shall  
27 readdress the plan and make necessary revisions every 5 years,  
28 at a minimum. Such revisions shall be submitted to the Speaker  
29 of the House of Representatives and the President of the  
30 Senate no later than June 30 of each year divisible by 5. An  
31 annual progress report shall be submitted to update the plan

1 in the years between the 5-year intervals. In order to avoid  
2 duplication of effort, these required plans may be made a part  
3 of or merged with other plans required by either the state or  
4 Federal Government, so long as the portions of the other state  
5 or Federal Government plan that constitute the state plan for  
6 the prevention of child abuse, abandonment, and neglect are  
7 clearly identified as such and are provided to the Speaker of  
8 the House of Representatives and the President of the Senate  
9 as required above.

10 Section 2. Section 39.0015, Florida Statutes, is  
11 amended to read:

12 39.0015 Child abuse prevention training in the  
13 district school system.--

14 (1) SHORT TITLE.--This section may be cited as the  
15 "Child Abuse Prevention Training Act of 1985."

16 ~~(2) LEGISLATIVE INTENT.--It is the intent of the~~  
17 ~~Legislature that primary prevention training for all children~~  
18 ~~in kindergarten through grade 12 be encouraged in the district~~  
19 ~~school system through the training of school teachers,~~  
20 ~~guidance counselors, parents, and children.~~

21 (2)(3) DEFINITIONS.--As used in this section:

22 (a) "Department" means the Department of Education.

23 (b) "Child abuse" means those acts as defined in ss.  
24 39.01(1), (2), (30), (44), (46), (53), and (64), 827.04, and  
25 984.03(1), (2), and (39).

26 (c) "Primary prevention and training program" means a  
27 training and educational program for children, parents, and  
28 teachers which is directed toward preventing the occurrence of  
29 child abuse, including sexual abuse, physical abuse, child  
30 abandonment, child neglect, and drug and alcohol abuse, and  
31 toward reducing the vulnerability of children through training

1 of children and through including coordination with, and  
2 training for, parents and school personnel.

3 (d) "Prevention training center" means a center as  
4 described in subsection (4)~~(5)~~.

5 (3)~~(4)~~ PRIMARY PREVENTION AND TRAINING PROGRAM.--A  
6 primary prevention and training program shall include all of  
7 the following, as appropriate for the persons being trained:

8 (a) Information provided in a clear and nonthreatening  
9 manner, describing the problem of child abuse, sexual abuse,  
10 physical abuse, abandonment, neglect, and alcohol and drug  
11 abuse, and the possible solutions.

12 (b) Information and training designed to counteract  
13 common stereotypes about victims and offenders.

14 (c) Crisis counseling techniques.

15 (d) Available community resources and ways to access  
16 those resources.

17 (e) Physical and behavioral indicators of abuse.

18 (f) Rights and responsibilities regarding reporting.

19 (g) School district procedures to facilitate  
20 reporting.

21 (h) Caring for a child's needs after a report is made.

22 (i) How to disclose incidents of abuse.

23 (j) Child safety training and age-appropriate  
24 self-defense techniques.

25 (k) The right of every child to live free of abuse.

26 (l) The relationship of child abuse to handicaps in  
27 young children.

28 (m) Parenting, including communication skills.

29 (n) Normal and abnormal child development.

30  
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1           (o) Information on recognizing and alleviating family  
2 stress caused by the demands required in caring for a  
3 high-risk or handicapped child.

4           (p) Supports needed by school-age parents in caring  
5 for a young child.

6           (4)~~(5)~~ PREVENTION TRAINING CENTERS; FUNCTIONS;  
7 SELECTION PROCESS; MONITORING AND EVALUATION.--

8           (a) Each training center shall perform the following  
9 functions:

10           1. Act as a clearinghouse to provide information on  
11 prevention curricula which meet the requirements of this  
12 section and the requirements of ss. 39.001, 231.17, and  
13 236.0811.

14           2. Assist the local school district in selecting a  
15 prevention program model which meets the needs of the local  
16 community.

17           3. At the request of the local school district, design  
18 and administer training sessions to develop or expand local  
19 primary prevention and training programs.

20           4. Provide assistance to local school districts,  
21 including, but not limited to, all of the following:  
22 administration, management, program development, multicultural  
23 staffing, and community education, in order to better meet the  
24 requirements of this section and of ss. 39.001, 231.17, and  
25 236.0811.

26           5. At the request of the department or the local  
27 school district, provide ongoing program development and  
28 training to achieve all of the following:

29           a. Meet the special needs of children, including, but  
30 not limited to, the needs of disabled and high-risk children.

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1           b. Conduct an outreach program to inform the  
2 surrounding communities of the existence of primary prevention  
3 and training programs and of funds to conduct such programs.

4           6. Serve as a resource to the Department of Children  
5 and Family Services and its districts.

6           ~~(b) The department, in consultation with the~~  
7 ~~Department of Children and Family Services, shall select and~~  
8 ~~award grants by January 1, 1986, for the establishment of~~  
9 ~~three private, nonprofit prevention training centers: one~~  
10 ~~located in and serving South Florida, one located in and~~  
11 ~~serving Central Florida, and one located in and serving North~~  
12 ~~Florida. The department, in consultation with the Department~~  
13 ~~of Children and Family Services, shall select an agency or~~  
14 ~~agencies to establish three training centers which can fulfill~~  
15 ~~the requirements of this section and meet the following~~  
16 ~~requirements:~~

17           1. ~~Have demonstrated experience in child abuse~~  
18 ~~prevention training.~~

19           2. ~~Have shown capacity for training primary prevention~~  
20 ~~and training programs as provided for in subsections (3) and~~  
21 ~~(4).~~

22           3. ~~Have provided training and organizing technical~~  
23 ~~assistance to the greatest number of private prevention and~~  
24 ~~training programs.~~

25           4. ~~Have employed the greatest number of trainers with~~  
26 ~~experience in private child abuse prevention and training~~  
27 ~~programs.~~

28           5. ~~Have employed trainers which represent the cultural~~  
29 ~~diversity of the area.~~

30           6. ~~Have established broad community support.~~

31

1           ~~(b)(c)~~ The department shall monitor and evaluate  
2 primary prevention and training programs utilized in the local  
3 school districts and shall monitor and evaluate the impact of  
4 the prevention training centers on the implementation of  
5 primary prevention programs and their ability to meet the  
6 required responsibilities of a center as described in this  
7 section.

8           ~~(5)(6)~~ The department shall administer this section  
9 and in so doing is authorized to adopt rules and standards  
10 necessary to implement the specific provisions of this  
11 section.

12           Section 3. Paragraph (b) of subsection (2) of section  
13 390.01115, Florida Statutes, is amended to read:

14           390.01115 Parental Notice of Abortion Act.--

15           (2) DEFINITIONS.--As used in this section, the term:

16           (b) "Child abuse" has the meaning ascribed in s.  
17 39.0015~~(2)(3)~~and refers to the acts of child abuse against a  
18 minor by a family member as defined in s. 741.28(2).

19           Section 4. Subsections (2) and (4) of section 39.3065,  
20 Florida Statutes, are repealed.

21           Section 5. Section 39.817, Florida Statutes, is  
22 repealed.

23           Section 6. Subsection (1) of section 39.824, Florida  
24 Statutes, is repealed.

25           Section 7. Section 61.001, Florida Statutes, is  
26 repealed.

27           Section 8. Subsection (2) of section 61.043, Florida  
28 Statutes, is repealed.

29           Section 9. Subsections (11) and (12) of section  
30 61.181, Florida Statutes, are repealed.

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1           Section 10. Paragraph (b) of subsection (2) and  
2 subsection (3) of section 61.1812, Florida Statutes, are  
3 repealed.

4           Section 11. Section 61.182, Florida Statutes, is  
5 repealed.

6           Section 12. Section 61.1826, Florida Statutes, is  
7 amended to read:

8           61.1826 Procurement of services for State Disbursement  
9 Unit and the non-Title IV-D component of the State Case  
10 Registry; contracts and cooperative agreements; penalties;  
11 withholding payment.--

12           ~~(1) LEGISLATIVE FINDINGS.--The Legislature finds that~~  
13 ~~the clerks of court play a vital role, as essential~~  
14 ~~participants in the establishment, modification, collection,~~  
15 ~~and enforcement of child support, in securing the health,~~  
16 ~~safety, and welfare of the children of this state. The~~  
17 ~~Legislature further finds and declares that:~~

18           ~~(a) It is in the state's best interest to preserve the~~  
19 ~~essential role of the clerks of court in disbursing child~~  
20 ~~support payments and maintaining official records of child~~  
21 ~~support orders entered by the courts of this state.~~

22           ~~(b) As official recordkeeper for matters relating to~~  
23 ~~court-ordered child support, the clerks of court are necessary~~  
24 ~~parties to obtaining, safeguarding, and providing child~~  
25 ~~support payment and support order information.~~

26           ~~(c) As provided by the federal Personal Responsibility~~  
27 ~~and Work Opportunity Reconciliation Act of 1996, the state~~  
28 ~~must establish and operate a State Case Registry in full~~  
29 ~~compliance with federal law by October 1, 1998, and a State~~  
30 ~~Disbursement Unit by October 1, 1999.~~

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1           ~~(d) Noncompliance with federal law could result in a~~  
2 ~~substantial loss of federal funds for the state's child~~  
3 ~~support enforcement program and the temporary assistance for~~  
4 ~~needy families welfare block grant.~~

5           ~~(e) The potential loss of substantial federal funds~~  
6 ~~poses a direct and immediate threat to the health, safety, and~~  
7 ~~welfare of the children and citizens of the state and~~  
8 ~~constitutes an emergency for purposes of s. 287.057(3)(a).~~

9           ~~(f) The clerks of court maintain the official payment~~  
10 ~~record of the court for amounts received, payments credited,~~  
11 ~~arrearages owed, liens attached, and current mailing addresses~~  
12 ~~of all parties, payor, obligor, and payee.~~

13           ~~(g) The clerks of court have established a statewide~~  
14 ~~Clerk of Court Child Support Enforcement Collection System for~~  
15 ~~the automation of all payment processing using state and local~~  
16 ~~government funds as provided under s. 61.181(2)(b)1.~~

17           ~~(h) The Legislature acknowledges the improvements made~~  
18 ~~by and the crucial role of the Clerk of the Court Child~~  
19 ~~Support Enforcement Collection System in speeding payments to~~  
20 ~~the children of Florida.~~

21           ~~(i) There is no viable alternative to continuing the~~  
22 ~~role of the clerks of court in collecting, safeguarding, and~~  
23 ~~providing essential child support payment information.~~

24  
25 ~~For these reasons, the Legislature hereby directs the~~  
26 ~~Department of Revenue, subject to the provisions of subsection~~  
27 ~~(6), to contract with the Florida Association of Court Clerks~~  
28 ~~and each depository to perform duties with respect to the~~  
29 ~~operation and maintenance of a State Disbursement Unit and the~~  
30 ~~non-Title IV-D component of the State Case Registry as further~~  
31 ~~provided by this section.~~



1           (1)~~(2)~~ COOPERATIVE AGREEMENTS.--Each depository shall  
2 enter into a standard cooperative agreement with the  
3 department for participation in the State Disbursement Unit  
4 and the non-Title IV-D component of the State Case Registry  
5 through the Clerk of Court Child Support Enforcement  
6 Collection System within 60 days after the effective date of  
7 this section. The cooperative agreement shall be a uniform  
8 document, mutually developed by the department and the Florida  
9 Association of Court Clerks, that applies to all depositories  
10 and complies with all state and federal requirements. Each  
11 depository shall also enter into a written agreement with the  
12 Florida Association of Court Clerks and the department within  
13 60 days after the effective date of this section that requires  
14 each depository to participate fully in the State Disbursement  
15 Unit and the non-Title IV-D component of the State Case  
16 Registry.

17           (2)~~(3)~~ CONTRACT.--The Florida Association of Court  
18 Clerks shall enter into a written contract with the department  
19 that fully complies with all federal and state laws within 60  
20 days after the effective date of this section. The contract  
21 shall be mutually developed by the department and the Florida  
22 Association of Court Clerks. As required by s. 287.057 and 45  
23 C.F.R. s. 74.43, any subcontracts entered into by the Florida  
24 Association of Court Clerks, except for a contract between the  
25 Florida Association of Court Clerks and its totally owned  
26 subsidiary corporation, must be procured through competitive  
27 bidding.

28           (3)~~(4)~~ COOPERATIVE AGREEMENT AND CONTRACT TERMS.--The  
29 contract between the Florida Association of Court Clerks and  
30 the department, and cooperative agreements entered into by the  
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1 depositories and the department, must contain, but are not  
2 limited to, the following terms:

3 (a) The initial term of the contract and cooperative  
4 agreements is for 5 years. The subsequent term of the contract  
5 and cooperative agreements is for 3 years, with the option of  
6 two 1-year renewal periods, at the sole discretion of the  
7 department.

8 (b) The duties and responsibilities of the Florida  
9 Association of Court Clerks, the depositories, and the  
10 department.

11 (c) Under s. 287.058(1)(a), all providers and  
12 subcontractors shall submit to the department directly, or  
13 through the Florida Association of Court Clerks, a report of  
14 monthly expenditures in a format prescribed by the department  
15 and in sufficient detail for a proper preaudit and postaudit  
16 thereof.

17 (d) All providers and subcontractors shall submit to  
18 the department directly, or through the Florida Association of  
19 Court Clerks, management reports in a format prescribed by the  
20 department.

21 (e) All subcontractors shall comply with chapter 280,  
22 as may be required.

23 (f) Federal financial participation for eligible Title  
24 IV-D expenditures incurred by the Florida Association of Court  
25 Clerks and the depositories shall be at the maximum level  
26 permitted by federal law for expenditures incurred for the  
27 provision of services in support of child support enforcement  
28 in accordance with 45 C.F.R. part 74 and Federal Office of  
29 Management and Budget Circulars A-87 and A-122 and based on an  
30 annual cost allocation study of each depository. The  
31 depositories shall submit directly, or through the Florida

1 Association of Court Clerks, claims for Title IV-D  
2 expenditures monthly to the department in a standardized  
3 format as prescribed by the department. The Florida  
4 Association of Court Clerks shall contract with a certified  
5 public accounting firm, selected by the Florida Association of  
6 Court Clerks and the department, to audit and certify  
7 quarterly to the department all claims for expenditures  
8 submitted by the depositories for Title IV-D reimbursement.

9 (g) Upon termination of the contracts between the  
10 department and the Florida Association of Court Clerks or the  
11 depositories, the Florida Association of Court Clerks, its  
12 agents, and the depositories shall assist the department in  
13 making an orderly transition to a private vendor.

14 (h) Interest on late payment by the department shall  
15 be in accordance with s. 215.422.

16  
17 If either the department or the Florida Association of Court  
18 Clerks objects to a term of the standard cooperative agreement  
19 or contract specified in subsections (1)~~(2)~~ and (2)~~(3)~~, the  
20 disputed term or terms shall be presented jointly by the  
21 parties to the Attorney General or the Attorney General's  
22 designee, who shall act as special master. The special master  
23 shall resolve the dispute in writing within 10 days. The  
24 resolution of a dispute by the special master is binding on  
25 the department and the Florida Association of Court Clerks.

26 (4)~~(5)~~ PERFORMANCE REVIEWS.--As provided by this  
27 subsection, the Office of Program Policy Analysis and  
28 Government Accountability shall conduct comprehensive  
29 performance reviews of the State Disbursement Unit and State  
30 Case Registry. In addition to the requirements of chapter 11,  
31 the review must include, but not be limited to, an analysis of

1 state and federal requirements, the effectiveness of the  
2 current system in meeting those requirements; a cost analysis  
3 of the State Disbursement Unit and the non-Title IV-D  
4 component of the State Case Registry; a review and comparison  
5 of available alternative methodologies as utilized by other  
6 states; and a review of all strategies, including  
7 privatization, to increase the efficiency and  
8 cost-effectiveness of the State Disbursement Unit and the  
9 non-Title IV-D component of the State Case Registry. A review  
10 must be completed and a written report submitted to the  
11 Governor, President of the Senate, and the Speaker of the  
12 House of Representatives by October 1, 1999, pertaining to the  
13 State Case Registry and October 1, 2000, pertaining to the  
14 State Disbursement Unit, and every 2 years thereafter  
15 beginning October 1, 2002, pertaining to both the State Case  
16 Registry and the State Disbursement Unit.

17 (5)~~(6)~~ CONTRACT TERMINATION.--If any of the following  
18 events occur, the department may discontinue its plans to  
19 contract, or terminate its contract, with the Florida  
20 Association of Court Clerks and the depositories upon 30 days'  
21 written notice by the department and may, through competitive  
22 bidding, procure services from a private vendor to perform  
23 functions necessary for the department to operate the State  
24 Disbursement Unit and the non-Title IV-D component of the  
25 State Case Registry with a minimum amount of disruption in  
26 service to the children and citizens of the state:

27 (a) Receipt by the department of final notice by the  
28 United States Secretary of Health and Human Services or the  
29 secretary's designee that the contractual arrangement between  
30 the department, the Florida Association of Court Clerks, and  
31 the depositories does not satisfy federal requirements for a

1 State Disbursement Unit or a State Case Registry and that the  
2 state's Title IV-D State Plan will not be approved, or that  
3 federal Title IV-D funding is not made available to fund the  
4 non-Title IV-D component of the State Case Registry or the  
5 State Disbursement Unit;

6 (b) The Florida Association of Court Clerks, a  
7 depository, or any subcontractor fails to comply with any  
8 material contractual term or state or federal requirement;

9 (c) The non-Title IV-D component of the State Case  
10 Registry is not established and operational, consistent with  
11 the terms of the contract, by October 1, 1998; or

12 (d) The State Disbursement Unit is not established and  
13 operational, consistent with the terms of the contract, by  
14 October 1, 1999.

15

16 If either event specified in paragraph (a) occurs, the  
17 depositories are relieved of all responsibilities and duties  
18 under this chapter relating to Title IV-D payment processing  
19 and data transmission to the department.

20 (6)~~(7)~~ PARTICIPATION BY DEPOSITORIES.--

21 (a) Each depository shall participate in the non-Title  
22 IV-D component of the State Case Registry by using an  
23 automated system compatible with the department's automated  
24 child support enforcement system.

25 (b) For participation in the State Disbursement Unit,  
26 each depository shall:

27 1. Use the CLERC System;

28 2. Receive electronically and record payment  
29 information from the State Disbursement Unit for each support  
30 order entered by the court.

31

1           (7)~~(8)~~ TITLE IV-D PROGRAM INCOME.--Pursuant to 45  
2 C.F.R. s. 304.50, all transaction fees and interest income  
3 realized by the State Disbursement Unit constitute and must be  
4 reported as program income under federal law and must be  
5 transmitted to the Title IV-D agency for deposit in the Child  
6 Support Enforcement Application and Program Revenue Trust  
7 Fund.

8           (8)~~(9)~~ PENALTIES.--All depositories must participate  
9 in the State Disbursement Unit and the non-Title IV-D  
10 component of the State Case Registry as provided in this  
11 chapter. If, after notice and an opportunity to cure an  
12 otherwise curable default, a depository fails to comply with  
13 the material terms of the cooperative agreement, the failure  
14 to comply subjects the county officer or officers responsible  
15 for the depository to the sanctions provided in Art. IV of the  
16 State Constitution. However, no county officer or officers  
17 shall be subject to sanctions under Art. IV of the State  
18 Constitution for any noncurable default resulting from  
19 circumstances or conditions outside the control of the  
20 depository.

21           (9)~~(10)~~ WITHHOLDING PAYMENT UNDER CONTRACTS.--If the  
22 Florida Association of Court Clerks, its agent, a  
23 subcontractor, or a depository does not comply with any  
24 material contractual term or state or federal requirement, the  
25 department may withhold funds otherwise due under the  
26 individual contract with the Florida Association of Court  
27 Clerks or the individual cooperative agreement with the  
28 depository, or both, at the department's election, to enforce  
29 compliance. The department shall provide written notice of  
30 noncompliance before withholding funds. Within 10 business  
31 days after receipt of written notification of noncompliance,

1 the department must be provided with a written proposed  
2 corrective action plan. Within 10 business days after receipt  
3 of a corrective action plan, the department shall accept the  
4 plan or allow 5 business days within which a revised plan may  
5 be submitted. Upon the department's acceptance of a corrective  
6 action plan, the agreed-upon plan must be fully completed  
7 within 30 business days unless a longer period is permitted by  
8 the department. If a proposed corrective action plan is not  
9 submitted, is not accepted, or is not fully completed, any  
10 funds withheld by the department for noncompliance are  
11 forfeited to the department. Withholding or forfeiture of  
12 funds may be contested by filing a petition or request for a  
13 hearing under the applicable provisions of chapter 120. For  
14 the purposes of this section, no party to a dispute involving  
15 less than \$5,000 in withheld or forfeited funds is deemed to  
16 be substantially affected by the dispute or to have a  
17 substantial interest in the decision resolving the dispute.

18 Section 13. Section 63.022, Florida Statutes, is  
19 repealed.

20 Section 14. Paragraph (a) of subsection (8) of section  
21 402.165, Florida Statutes, is amended to read:

22 402.165 Statewide Human Rights Advocacy Committee;  
23 confidential records and meetings.--

24 (8)(a) In the performance of its duties, the Statewide  
25 Human Rights Advocacy Committee shall have:

26 1. Authority to receive, investigate, seek to  
27 conciliate, hold hearings on, and act on complaints which  
28 allege any abuse or deprivation of constitutional or human  
29 rights of clients.

30 2. Access to all client records, files, and reports  
31 from any program, service, or facility that is operated,

1 funded, licensed, or regulated by the Department of Children  
2 and Family Services and any records which are material to its  
3 investigation and which are in the custody of any other agency  
4 or department of government. The committee's investigation or  
5 monitoring shall not impede or obstruct matters under  
6 investigation by law enforcement or judicial authorities.  
7 Access shall not be granted if a specific procedure or  
8 prohibition for reviewing records is required by federal law  
9 and regulation which supersedes state law. Access shall not be  
10 granted to the records of a private licensed practitioner who  
11 is providing services outside agencies and facilities and  
12 whose client is competent and refuses disclosure.

13           3. Standing to petition the circuit court for access  
14 to client records which are confidential as specified by law.  
15 The petition shall state the specific reasons for which the  
16 committee is seeking access and the intended use of such  
17 information. The court may authorize committee access to such  
18 records upon a finding that such access is directly related to  
19 an investigation regarding the possible deprivation of  
20 constitutional or human rights or the abuse of a client.  
21 Original client files, records, and reports shall not be  
22 removed from the Department of Children and Family Services or  
23 agency facilities. Under no circumstance shall the committee  
24 have access to confidential adoption records in accordance  
25 with the provisions of ss. 39.0132, ~~63.022~~, and 63.162. Upon  
26 completion of a general investigation of practices and  
27 procedures of the Department of Children and Family Services,  
28 the committee shall report its findings to that department.

29           Section 15. Paragraph (a) of subsection (8) of section  
30 402.166, Florida Statutes, is amended to read:

31



1           402.166 District human rights advocacy committees;  
2 confidential records and meetings.--

3           (8)(a) In the performance of its duties, a district  
4 human rights advocacy committee shall have:

5           1. Access to all client records, files, and reports  
6 from any program, service, or facility that is operated,  
7 funded, licensed, or regulated by the Department of Children  
8 and Family Services and any records which are material to its  
9 investigation and which are in the custody of any other agency  
10 or department of government. The committee's investigation or  
11 monitoring shall not impede or obstruct matters under  
12 investigation by law enforcement or judicial authorities.  
13 Access shall not be granted if a specific procedure or  
14 prohibition for reviewing records is required by federal law  
15 and regulation which supersedes state law. Access shall not  
16 be granted to the records of a private licensed practitioner  
17 who is providing services outside agencies and facilities and  
18 whose client is competent and refuses disclosure.

19           2. Standing to petition the circuit court for access  
20 to client records which are confidential as specified by law.  
21 The petition shall state the specific reasons for which the  
22 committee is seeking access and the intended use of such  
23 information. The court may authorize committee access to such  
24 records upon a finding that such access is directly related to  
25 an investigation regarding the possible deprivation of  
26 constitutional or human rights or the abuse of a client.  
27 Original client files, records, and reports shall not be  
28 removed from Department of Children and Family Services or  
29 agency facilities. Upon no circumstances shall the committee  
30 have access to confidential adoption records in accordance  
31 with the provisions of ss. 39.0132, ~~63.022~~, and 63.162. Upon

1 completion of a general investigation of practices and  
2 procedures of the Department of Children and Family Services,  
3 the committee shall report its findings to that department.

4 Section 16. Section 63.043, Florida Statutes, is  
5 repealed.

6 Section 17. Subsection (1) of section 409.152, Florida  
7 Statutes, is repealed.

8 Section 18. Section 409.2551, Florida Statutes, is  
9 repealed.

10 Section 19. Subsection (1) of section 61.13015,  
11 Florida Statutes, is amended to read:

12 61.13015 Petition for suspension or denial of  
13 professional licenses and certificates.--

14 (1) An obligee may petition the court which entered  
15 the support order or the court which is enforcing the support  
16 order for an order to suspend or deny the license or  
17 certificate issued pursuant to chapters 231, 409, 455, and 559  
18 of any obligor with a delinquent child support obligation.  
19 However, no petition may be filed until the obligee has  
20 exhausted all other available remedies. ~~The purpose of this~~  
21 ~~section is to promote the public policy of s. 409.2551.~~

22 Section 20. Paragraph (a) of subsection (5) of section  
23 61.14, Florida Statutes, is amended to read:

24 61.14 Enforcement and modification of support,  
25 maintenance, or alimony agreements or orders.--

26 (5)(a) When a court of competent jurisdiction enters  
27 an order for the payment of alimony or child support or both,  
28 the court shall make a finding of the obligor's imputed or  
29 actual present ability to comply with the order. If the  
30 obligor subsequently fails to pay alimony or support and a  
31 contempt hearing is held, the original order of the court

1 creates a presumption that the obligor has the present ability  
2 to pay the alimony or support and to purge himself or herself  
3 from the contempt. At the contempt hearing, the obligor shall  
4 have the burden of proof to show that he or she lacks the  
5 ability to purge himself or herself from the contempt. This  
6 presumption is adopted as a presumption under s. 90.302(2) to  
7 implement the public policy of this state that children shall  
8 be maintained from the resources of their parents and ~~as~~  
9 ~~provided for in s. 409.2551,~~ and that spouses be maintained as  
10 provided for in s. 61.08. The court shall state in its order  
11 the reasons for granting or denying the contempt.

12 Section 21. Section 231.097, Florida Statutes, is  
13 amended to read:

14 231.097 Suspension or denial of teaching certificate  
15 due to child support delinquency.--The department shall allow  
16 applicants for new or renewal certificates and renewal  
17 certificateholders to be screened by the Title IV-D child  
18 support agency pursuant to s. 409.2598 to assure compliance  
19 with a support obligation. ~~The purpose of this section is to~~  
20 ~~promote the public policy of this state as established in s.~~  
21 ~~409.2551.~~ The department shall, when directed by the court,  
22 deny the application of any applicant found to have a  
23 delinquent support obligation. The department shall issue or  
24 reinstate the certificate without additional charge to the  
25 certificateholder when notified by the court that the  
26 certificateholder has complied with the terms of the court  
27 order. The department shall not be held liable for any  
28 certificate denial or suspension resulting from the discharge  
29 of its duties under this section.

30 Section 22. Subsection (1) of section 328.42, Florida  
31 Statutes, is amended to read:

1           328.42 Suspension or denial of a vessel registration  
2 due to child support delinquency; dishonored checks.--

3           (1) The department must allow applicants for new or  
4 renewal registrations to be screened by the Department of  
5 Revenue, as the Title IV-D child support agency under s.  
6 409.2598, or by a non-IV-D obligee to assure compliance with a  
7 support obligation. ~~The purpose of this section is to promote~~  
8 ~~the public policy of this state as established in s. 409.2551.~~  
9 The department must, when directed by the court, deny or  
10 suspend the vessel registration of any applicant found to have  
11 a delinquent child support obligation. The department must  
12 issue or reinstate a registration when notified by the Title  
13 IV-D agency or the court that the applicant has complied with  
14 the terms of the court order. The department may not be held  
15 liable for any registration denial or suspension resulting  
16 from the discharge of its duties under this section.

17           Section 23. Subsection (1) of section 409.2598,  
18 Florida Statutes, is amended to read:

19           409.2598 Suspension or denial of new or renewal  
20 licenses; registrations; certifications.--

21           (1) The Title IV-D agency may petition the court that  
22 entered the support order or the court that is enforcing the  
23 support order to deny or suspend the license, registration, or  
24 certificate issued under chapter 231, chapter 370, chapter  
25 372, chapter 409, part II of chapter 455, or chapter 559 or s.  
26 328.42 of any obligor with a delinquent child support  
27 obligation or who fails, after receiving appropriate notice,  
28 to comply with subpoenas, orders to appear, orders to show  
29 cause, or similar orders relating to paternity or child  
30 support proceedings. However, a petition may not be filed  
31 until the Title IV-D agency has exhausted all other available

1 remedies. ~~The purpose of this section is to promote the public~~  
2 ~~policy of the state as established in s. 409.2551.~~

3 Section 24. Subsection (9) of section 455.203, Florida  
4 Statutes, is amended to read:

5 455.203 Department; powers and duties.--The  
6 department, for the boards under its jurisdiction, shall:

7 (9) Allow applicants for new or renewal licenses and  
8 current licensees to be screened by the Title IV-D child  
9 support agency pursuant to s. 409.2598 to assure compliance  
10 with a support obligation. ~~The purpose of this subsection is~~  
11 ~~to promote the public policy of this state as established in~~  
12 ~~s. 409.2551.~~The department shall, when directed by the court,  
13 suspend or deny the license of any licensee found to have a  
14 delinquent support obligation. The department shall issue or  
15 reinstate the license without additional charge to the  
16 licensee when notified by the court that the licensee has  
17 complied with the terms of the court order. The department  
18 shall not be held liable for any license denial or suspension  
19 resulting from the discharge of its duties under this  
20 subsection.

21 Section 25. Subsection (9) of section 455.521, Florida  
22 Statutes, is amended to read:

23 455.521 Department; powers and duties.--The  
24 department, for the professions under its jurisdiction, shall:

25 (9) Allow applicants for new or renewal licenses and  
26 current licensees to be screened by the Title IV-D child  
27 support agency pursuant to s. 409.2598 to assure compliance  
28 with a support obligation. ~~The purpose of this subsection is~~  
29 ~~to promote the public policy of this state as established in~~  
30 ~~s. 409.2551.~~The department shall, when directed by the court,  
31 suspend or deny the license of any licensee found to have a

1 delinquent support obligation. The department shall issue or  
2 reinstate the license without additional charge to the  
3 licensee when notified by the court that the licensee has  
4 complied with the terms of the court order. The department  
5 shall not be held liable for any license denial or suspension  
6 resulting from the discharge of its duties under this  
7 subsection.

8 Section 26. Subsection (3) of section 559.79, Florida  
9 Statutes, is amended to read:

10 559.79 Applications for license or renewal.--

11 (3) The department shall allow the Title IV-D child  
12 support agency to screen all applicants for new or renewal  
13 licenses and current licensees pursuant to s. 409.2598 to  
14 assure compliance with a support obligation. ~~The purpose of~~  
15 ~~this subsection is to promote the public policy of this state~~  
16 ~~as established in s. 409.2551.~~The department shall, when  
17 directed by the court, suspend or deny the license of any  
18 licensee found to have a delinquent support obligation. The  
19 department shall issue or reinstate the license without  
20 additional charge to the licensee when notified by the court  
21 that the licensee has complied with the terms of the court  
22 order. The department shall not be liable for any license  
23 denial or suspension resulting from the discharge of its  
24 duties under this subsection.

25 Section 27. Subsection (15) of section 39.01, Florida  
26 Statutes, is amended to read:

27 39.01 Definitions.--When used in this chapter, unless  
28 the context otherwise requires:

29 (15) "Child support" means a court-ordered obligation,  
30 enforced under chapter 61 and ss. 409.2554-409.2597

31

1 ~~409.2551-409.2597~~, for monetary support for the care,  
2 maintenance, training, and education of a child.  
3 Section 28. Section 409.2554, Florida Statutes, is  
4 amended to read:  
5 409.2554 Definitions.--As used in ss.  
6 409.2554-409.2598 ~~409.2551-409.2598~~, the term:  
7 (1) "Department" means the Department of Revenue.  
8 (2) "Dependent child" means any unemancipated person  
9 under the age of 18, any person under the age of 21 and still  
10 in school, or any person who is mentally or physically  
11 incapacitated when such incapacity began prior to such person  
12 reaching the age of 18. This definition shall not be  
13 construed to impose an obligation for child support beyond the  
14 child's attainment of majority except as imposed in s.  
15 409.2561.  
16 (3) "Court" means the circuit court.  
17 (4) "Court order" means any judgment or order of any  
18 court of appropriate jurisdiction of the state, or an order of  
19 a court of competent jurisdiction of another state, ordering  
20 payment of a set or determinable amount of support money.  
21 (5) "Obligee" means the person to whom support  
22 payments are made pursuant to an alimony or child support  
23 order.  
24 (6) "Obligor" means a person who is responsible for  
25 making support payments pursuant to an alimony or child  
26 support order.  
27 (7) "Public assistance" means food stamps, money  
28 assistance paid on the basis of Title IV-E and Title XIX of  
29 the Social Security Act, or temporary cash assistance paid  
30 under the WAGES Program.  
31

1           (8) "Program attorney" means an attorney employed by  
2 the department, under contract with the department, or  
3 employed by a contractor of the department, to provide legal  
4 representation for the department in a proceeding related to  
5 the determination of paternity or the establishment,  
6 modification, or enforcement of support brought pursuant to  
7 law.

8           (9) "Prosecuting attorney" means any private attorney,  
9 county attorney, city attorney, state attorney, program  
10 attorney, or an attorney employed by an entity of a local  
11 political subdivision who engages in legal action related to  
12 the determination of paternity or the establishment,  
13 modification, or enforcement of support brought pursuant to  
14 this act.

15           (10) "Support" means:

16           (a) Support for a child, or child and spouse, or  
17 former spouse who is living with the child or children, but  
18 only if a support obligation has been established for that  
19 spouse and the child support obligation is being enforced  
20 under Title IV-D of the Social Security Act; or

21           (b) Support for a child who is placed under the  
22 custody of someone other than the custodial parent pursuant to  
23 s. 39.508.

24           (11) "Administrative costs" means any costs, including  
25 attorney's fees, clerk's filing fees, recording fees and other  
26 expenses incurred by the clerk of the circuit court, service  
27 of process fees, or mediation costs, incurred by the IV-D  
28 agency in its effort to administer the IV-D program. The  
29 administrative costs which must be collected by the department  
30 shall be assessed on a case-by-case basis based upon a method  
31 for determining costs approved by the Federal Government. The



1 administrative costs shall be assessed periodically by the  
2 department. The methodology for determining administrative  
3 costs shall be made available to the judge or any party who  
4 requests it. Only those amounts ordered independent of  
5 current support, arrears, or past public assistance obligation  
6 shall be considered and applied toward administrative costs.

7 (12) "Child support services" includes any civil,  
8 criminal, or administrative action taken by the Title IV-D  
9 program to determine paternity, establish, modify, enforce, or  
10 collect support.

11 Section 29. Subsection (10) of section 984.03, Florida  
12 Statutes, is amended to read:

13 984.03 Definitions.--When used in this chapter, the  
14 term:

15 (10) "Child support" means a court-ordered obligation,  
16 enforced under chapter 61 and ss. 409.2554-409.2597  
17 ~~409.2551-409.2597~~, for monetary support for the care,  
18 maintenance, training, and education of a child.

19 Section 30. Subsection (11) of section 985.03, Florida  
20 Statutes, is amended to read:

21 985.03 Definitions.--When used in this chapter, the  
22 term:

23 (11) "Child support" means a court-ordered obligation,  
24 enforced under chapter 61 and ss. 409.2554-409.2597  
25 ~~409.2551-409.2597~~, for monetary support for the care,  
26 maintenance, training, and education of a child.

27 Section 31. Subsection (1) of section 409.25575,  
28 Florida Statutes, is repealed.

29 Section 32. Section 409.2559, Florida Statutes, is  
30 repealed.

31

1           Section 33. Sections 708.05, 708.08, 708.09, and  
2 708.10, Florida Statutes, are repealed.

3           Section 34. Sections 741.03055 and 741.03056, Florida  
4 Statutes, is repealed.

5           Section 35. Section 741.2902, Florida Statutes, is  
6 repealed.

7           Section 36. Subsection (1) of section 741.32, Florida  
8 Statutes, is repealed.

9           Section 37. Section 741.401, Florida Statutes, is  
10 repealed.

11           Section 38. Section 741.402, Florida Statutes, is  
12 amended to read:

13           741.402 Definitions.--Unless the context clearly  
14 requires otherwise, as used in ss. 741.402-741.409  
15 ~~741.401-741.409~~, the term:

16           (1) "Address" means a residential street address,  
17 school address, or work address of an individual, as specified  
18 on the individual's application to be a program participant  
19 under ss. 741.402-741.409 ~~741.401-741.409~~.

20           (2) "Program participant" means a person certified as  
21 a program participant under s. 741.403.

22           (3) "Domestic violence" means an act as defined in s.  
23 741.28 and includes a threat of such acts committed against an  
24 individual in a domestic situation, regardless of whether  
25 these acts or threats have been reported to law enforcement  
26 officers.

27           Section 39. Paragraph (a) of subsection (1) of section  
28 741.405, Florida Statutes, is amended to read:

29           741.405 Agency use of designated address.--

30           (1) A program participant may request that state and  
31 local agencies or other governmental entities use the address

1 designated by the Attorney General as his or her address.  
2 When creating a new public record, state and local agencies or  
3 other governmental entities shall accept the address  
4 designated by the Attorney General as a program participant's  
5 substitute address, unless the Attorney General has determined  
6 that:

7           (a) The agency or entity has a bona fide statutory or  
8 administrative requirement for the use of the address that  
9 would otherwise be confidential under ss. 741.402-741.409  
10 ~~741.401-741.409~~;

11           Section 40. Section 751.01, Florida Statutes, is  
12 repealed.

13           Section 41. Subsection (14) of section 49.011, Florida  
14 Statutes, is amended to read:

15           49.011 Service of process by publication; cases in  
16 which allowed.--Service of process by publication may be made  
17 in any court on any person mentioned in s. 49.021 in any  
18 action or proceeding:

19           (14) For temporary custody of a minor child, under  
20 chapter 751 ~~ss. 751.01-751.05~~.

21           Section 42. Section 751.011, Florida Statutes, is  
22 amended to read:

23           751.011 Definitions.--As used in this chapter ~~ss.~~  
24 ~~751.01-751.05~~, the term:

25           (1) "Extended family" is any family composed of the  
26 minor child and a relative of the child who is the child's  
27 brother, sister, grandparent, aunt, uncle, or cousin.

28           (2) "Putative father" is a man who reasonably believes  
29 himself to be the biological father of the minor child, but  
30 who is unable to prove his paternity due to the absence of the  
31 mother of the child.

1           Section 43. Section 751.04, Florida Statutes, is  
2 amended to read:

3           751.04 Notice and opportunity to be heard.--Before a  
4 decree is made under this chapter ~~ss. 751.01-751.05~~,  
5 reasonable notice and opportunity to be heard must be given to  
6 the parents of the minor child by service of process, either  
7 personal or constructive.

8           Section 44. Section 753.004, Florida Statutes, is  
9 repealed.

10          Section 45. This act shall take effect upon becoming a  
11 law.

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HOUSE SUMMARY

Repeals various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded. Repeals or deletes provisions relating to required development by a specified date of a state plan for the prevention of abuse, abandonment, and neglect of children; intent with respect to the Child Abuse Prevention Training Act of 1985; implementation of the transfer of child protective investigative services to the sheriffs of Pasco, Manatee, and Pinellas Counties and to the duty of the sheriff of Broward County to perform the same services in fiscal year 1999-2000; a foster care privatization demonstration pilot project; adoption of rules of juvenile procedure by the Supreme Court to implement pt. X, ch. 39, F.S., relating to guardians ad litem and guardian advocates; the purpose of ch. 61, F.S., relating to dissolution of marriage, support, and custody; informational questionnaires required upon filing for dissolution of marriage; an audit of the central child support enforcement depositories and an evaluation of the Dade County and Manatee County Child Support Enforcement demonstration projects; obsolete funding provisions of the Child Support Incentive Trust Fund; the Child Support Depository Trust Fund; findings with respect to procurement of services for the State Disbursement Unit and the non-Title IV-D component of the State Case Registry; intent with respect to the Florida Adoption Act; a prohibition on mandatory screening or testing for sickle-cell trait; intent with respect to family preservation; intent with respect to child support and purpose statements in other provisions of law providing for suspension or denial of various licenses, registrations, and certificates for delinquent child support obligations which incorporate such intent; intent with respect to privatization of child support enforcement services; the requirement to establish and operate a state disbursement unit by a specified date; married women's property; review of premarital preparation courses, creation of pilot programs, development and use of an informational questionnaire, and creation of a curriculum; intent with respect to the judiciary's role in domestic violence cases; intent with respect to certification of batterers' intervention programs; intent with respect to the domestic violence address confidentiality program; intent with respect to temporary custody of minor children by extended families; and supervised visitation projects.