

1 A bill to be entitled
2 An act relating to public records; amending s.
3 383.51, F.S.; providing an exemption from
4 public records requirements for information
5 that identifies parents who leave newborn
6 infants at emergency medical services stations;
7 providing an exception; providing an exemption
8 from public records requirements for
9 information contained in the Paternity
10 Registry; providing for future legislative
11 review and repeal; providing findings of public
12 necessity; providing contingent effective
13 dates.

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

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17 Section 1. Section 383.51, Florida Statutes, is
18 amended to read:

19 383.51 Confidentiality; identification of parent
20 leaving newborn infant at hospital or fire station.--The
21 identity of a parent who leaves a newborn infant at a
22 hospital, emergency medical services station, or a fire
23 station in accordance with s. 383.50 is confidential and
24 exempt from the provisions of s. 119.07(1) and s. 24(a), Art.
25 I of the State Constitution. The identity of a parent leaving
26 a child shall be disclosed to a person claiming to be a parent
27 of the newborn infant. This section is subject to the Open
28 Government Review Act of 1995 in accordance with s. 119.15,
29 and shall stand repealed on October 2, 2005, unless reviewed
30 and saved from repeal through reenactment by the Legislature.

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1 Section 2. The Legislature finds that the preservation
2 of anonymity and confidentiality of parents who leave newborn
3 infants at emergency medical services stations is a public
4 necessity in order to encourage parents to leave infants
5 safely and thus protect the life and health of those infants.
6 The Legislature further finds that the public policy provided
7 for in the creation of s. 383.50, Florida Statutes, will be
8 served if the anonymity of parents who leave newborns at
9 emergency medical services stations is maintained.

10 Section 3. (1) All information contained in the
11 Paternity Registry created by section 63.165, Florida
12 Statutes, is exempt from public disclosure pursuant to section
13 119.07(1), Florida Statutes, and Section 24(a) of Article I of
14 the State Constitution, except that certificates attesting to
15 the results of a search of the Paternity Registry pursuant to
16 section 63.165(8), Florida Statutes, may be disclosed as
17 provided in section 63.165(8), Florida Statutes. This section
18 is subject to the Open Government Sunset Review Act of 1995 in
19 accordance with section 119.15, Florida Statutes, and shall
20 stand repealed on October 2, 2006, unless reviewed and saved
21 from repeal through reenactment by the Legislature.

22 (2) This section shall take effect on the same date
23 that Committee Substitute for House Bill 415 or similar
24 legislation takes effect if such legislation is adopted in the
25 same legislative session or an extension thereof and becomes
26 law.

27 Section 4. (1) The Legislature finds that it is a
28 public necessity to exempt from disclosure pursuant to section
29 119.07(1), Florida Statutes, and Section 24 of Article I of
30 the State Constitution all information contained in the
31 Paternity Registry created by section 63.165, Florida

1 Statutes. The Legislature finds that it is good public policy
2 to encourage putative fathers to grasp both the responsibility
3 and the opportunity to be made legally aware of petitions and
4 hearings to terminate their parental rights pending an
5 adoption. The Legislature also finds that by providing legal
6 notice to putative fathers, adoptions will be less likely to
7 be legally disrupted. The Legislature further finds that the
8 information required by the Paternity Registry reveals the
9 existence of intimate sexual relations. Disclosure of this
10 information would likely have a chilling effect on the
11 likelihood that putative fathers will register. Therefore, the
12 Legislature finds that any benefit that could occur from
13 public disclosure of the information in the Paternity Registry
14 is outweighed by the necessity to ensure the due process
15 rights of putative fathers.

16 (2) This section shall take effect on the same date
17 that Committee Substitute for House Bill 415 or similar
18 legislation takes effect if such legislation is adopted in the
19 same legislative session or an extension thereof and becomes
20 law.

21 Section 5. Except as otherwise provided herein, this
22 act shall take effect on the same date that HB 475 or similar
23 legislation takes effect if such legislation is adopted in the
24 same legislative session and becomes law.

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