

By Representatives Mack, Sobel, Greenstein, Rich,
Gottlieb, Seiler, Ritter and Smith

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 in the possession of a
5 non-Title IV-D county child support enforcement
6 agency which reveals the identity of applicants
7 for and recipients of child support services;
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 identity 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;

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; or

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1 (c) Mandatory disclosure of information as required by
2 sections 409.2577, 61.181, 61.1825, and 61.1826, Florida
3 Statutes, and Title IV-D of the Social Security Act.

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

13 (3) As used in this section, "county child support
14 enforcement agency" means a department, division, or other
15 agency of a county government which is operated by the county
16 to provide child support enforcement services to county
17 residents.

18 (4) This section is subject to the Open Government
19 Sunset Review Act of 1995 in accordance with section 119.15,
20 Florida Statutes, and shall stand repealed on October 2, 2005,
21 unless reviewed and saved from repeal through reenactment by
22 the Legislature.

23 Section 2. The Legislature finds that it is a public
24 necessity to exempt from disclosure pursuant to section
25 119.07(1), Florida Statutes, and Section 24 of Article I of
26 the State Constitution all identifying information concerning
27 applicants for and recipients of child support services which
28 is in the possession of any non-Title IV-D county child
29 support enforcement agency. The Legislature recognizes that
30 all persons served by a non-Title IV-D county child support
31 enforcement agency are eligible to receive services from the

1 Department of Revenue, the state's Title IV-D agency. The
2 Legislature further recognizes that information concerning
3 applicants for and recipients of child support services who
4 are served by these county agencies would otherwise be exempt
5 from disclosure pursuant to section 409.2579, Florida
6 Statutes, if served by the Department of Revenue. Therefore,
7 because provision of child support services by such county
8 agencies provides a useful and appropriate alternative to the
9 child support services provided by the state, the Legislature
10 finds that persons served by such county agencies should be
11 entitled to similar disclosure protections afforded to persons
12 receiving child support services from the state. Additionally,
13 the Legislature finds that many of the child support
14 enforcement cases handled by these agencies are also domestic
15 violence cases. In such cases, agency clients have been
16 subjected to domestic violence or abuse and fear for their
17 lives and those of their minor children. The Legislature
18 further finds that federal and state law currently prohibit
19 the disclosure of information concerning clients served by the
20 Title IV-D cases when a protective order has been issued or
21 the Title IV-D agency has reason to believe that disclosure of
22 information may result in physical or emotional harm to the
23 client or child, and the Legislature wishes to extend similar
24 protections to the clients of non-Title IV-D county child
25 support enforcement agencies. Therefore, the Legislature
26 determines that any benefit that could occur from public
27 disclosure of the information concerning applicants for or
28 recipients of child support services from county child support
29 enforcement agencies is outweighed by the risk of harm to the
30 clients and their children and that there is present need to
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1 exempt such information from disclosure under the public
2 records laws of this state.

3 Section 3. This act shall take effect July 1, 2001.

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6 SENATE SUMMARY

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

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