

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 exceptions; providing for future
9 legislative review and repeal; providing a
10 finding of public necessity; providing an
11 effective date.

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

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

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

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

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

13 (3) As used in this section, "Non-Title IV-D county
14 child-support-enforcement agency" means a department,
15 division, or other agency of a county government which is
16 operated by the county, excluding local depositories pursuant
17 to section 61.181, Florida Statutes, operated by the clerk of
18 the court, to provide child-support-enforcement and depository
19 services to county residents.

20 (4) This section is subject to the Open Government
21 Sunset Review Act of 1995 in accordance with section 119.15,
22 Florida Statutes, and shall stand repealed on October 2, 2006,
23 unless reviewed and saved from repeal through reenactment by
24 the Legislature.

25 Section 2. The Legislature finds that it is a public
26 necessity that 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 be held confidential and exempt.
30 The Legislature recognizes that all persons served by a
31 non-Title IV-D county child support enforcement agency are

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

1 recipients of child support services from non-Title IV-D
2 county child support enforcement agencies is outweighed by the
3 risk of harm to the clients and their children and that there
4 is present need to exempt such information from disclosure
5 under the public-records laws of this state.

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

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