

By the Committee on Governmental Oversight and Productivity;
and Senator Garcia

302-2304-02

1 A bill to be entitled
2 An act relating to public records; providing an
3 exemption from public-records requirements for
4 information contained in the paternity registry
5 maintained by the Department of Health;
6 providing for future legislative review and
7 repeal; providing findings of public necessity;
8 providing a contingent effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. All information contained in the paternity
13 registry created pursuant to section 63.063, Florida Statutes,
14 and maintained by the Department of Health is exempt from
15 public disclosure pursuant to section 119.07(1), Florida
16 Statutes, and Section 24(a), Article I of the State
17 Constitution, except that certificates attesting to the
18 results of a search of the paternity registry pursuant to
19 chapter 63, Florida Statutes, may be disclosed as provided in
20 chapter 63, Florida Statutes. This section is subject to the
21 Open Government Sunset Review Act of 1995 in accordance with
22 section 119.15, Florida Statutes, and shall stand repealed on
23 October 2, 2007, unless reviewed and saved from repeal through
24 reenactment by the Legislature.

25 Section 2. The Legislature finds that it is a public
26 necessity to exempt from public disclosure all information
27 contained in the paternity registry and maintained by the
28 Department of Health. The Legislature finds that it is good
29 public policy to encourage putative fathers to register with
30 the paternity registry in order that they have the opportunity
31 to be made legally aware of petitions and hearings to

1 terminate their parental rights pending an adoption. The
2 Legislature also finds that by providing legal notice to
3 putative fathers, adoptions are less likely to be legally
4 disrupted. The Legislature further finds that the information
5 required by the paternity registry reveals the existence of
6 intimate sexual relations. Disclosure of this information
7 would likely have a negative effect on the likelihood that
8 putative fathers will register. Therefore, the Legislature
9 finds that any benefit that could occur from public disclosure
10 of the information in the paternity registry is outweighed by
11 the necessity to ensure the due process rights of putative
12 fathers.

13 Section 3. This act shall take effect on the same date
14 that CS/HB 775 or similar legislation takes effect if such
15 legislation is adopted in the same legislative session or an
16 extension thereof and becomes law.

17
18 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
19 COMMITTEE SUBSTITUTE FOR
20 Senate Bill 650

21 Creates an exemption for information contained in the
22 paternity registry created pursuant to s. 63.063, F.S.
23 Permits certificates attesting to the results of a search of
24 the paternity registry to be disclosed.
25 Creates a statement of public necessity.

26
27
28
29
30
31