A bill to be entitled

An act relating to public records; providing an exemption from public records requirements for information contained in the paternity registry maintained by the Department of Children and Family Services; providing for future legislative review and repeal; providing findings of public necessity; providing a contingent effective date.

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

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Section 1. All information contained in the paternity registry created by s. 63.165, Florida Statutes, is exempt from public disclosure pursuant to s. 119.07(1), Florida Statutes, and Section 24(a), Article I of the State Constitution, except that certificates attesting to the results of a search of the paternity registry pursuant to s. 63.165(2)(f), Florida Statutes, may be disclosed as provided in s. 63.165(2)(f), Florida Statutes. This section is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15, Florida Statutes, and shall stand repealed on October 2, 2007, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. The Legislature finds that it is a public necessity to exempt from disclosure pursuant to s. 119.07(1), Florida Statutes, and Section 24(a), Article I of the State Constitution all information contained in the paternity registry created by s. 63.165, Florida Statutes. The Legislature finds that it is good public policy to encourage putative fathers to grasp both the responsibility and the

opportunity to be made legally aware of petitions and hearings 1 2 to terminate their parental rights pending an adoption. The 3 Legislature also finds that by providing legal notice to putative fathers, adoptions will be less likely to be legally 4 5 disrupted. The Legislature further finds that the information required by the paternity registry reveals the existence of 6 7 intimate sexual relations. Disclosure of this information 8 would likely have a negative effect on the likelihood that 9 putative fathers will register. Therefore, the Legislature finds that any benefit that could occur from public disclosure 10 11 of the information in the paternity registry is outweighed by the necessity to ensure the due process rights of putative 12 13 fathers. Section 3. This section shall take effect on the same 14 15 date that HB _____ or similar legislation takes effect if such 16 legislation is adopted in the same legislative session or an extension thereof and becomes law. 17 18 ************* 19 20 HOUSE SUMMARY 21 Provides an exemption from public records requirements for information contained in the paternity registry maintained by the Department of Children and Family Services. Provides for future review and repeal. 22 23 24 25 26 27 28 29 30 31