

By the Council for Healthy Communities and Representative Mahon

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.

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

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22 and shall stand repealed on October 2, 2007, unless reviewed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

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

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

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

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