

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Child & Family Security offered the following:

**Amendment (with title amendment)**

On page 16, line 7 through page 20, line 19 remove: all said lines

and insert:

63.165 State registry of adoption reunion information; duty to inform and explain.--

(1) STATE REGISTRY OF ADOPTION REUNION

INFORMATION.--Notwithstanding any other law to the contrary, the department shall maintain an adoption reunion registry with the last known names and addresses of an adoptee and his or her parents whose consent was required under s. 63.062, and adoptive parents and any other identifying information that the adoptee, parents whose consent was required under s. 63.062, or adoptive parents desire to include in the registry. The department shall maintain the registry records for the time required by rules adopted by the department in accordance with this chapter or for 99 years, whichever period is

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1 greater. The registry shall be open with respect to all  
2 adoptions in the state, regardless of when they took place.  
3 The registry shall be available for those persons choosing to  
4 enter information therein, but no one shall be required to do  
5 so.

6 (2)~~(1)~~ Anyone seeking to enter, change, or use  
7 information in the registry, or any agent of such person,  
8 shall present verification of his or her identity and, if  
9 applicable, his or her authority. A person who enters  
10 information in the registry shall be required to indicate  
11 clearly the persons to whom he or she is consenting to release  
12 this information, which persons shall be limited to the  
13 adoptee and the birth mother, father whose consent was  
14 required under s. 63.062, adoptive mother, adoptive father,  
15 birth siblings, and maternal and paternal birth grandparents  
16 of the adoptee. Except as provided in this section,  
17 information in the registry is confidential and exempt from s.  
18 119.07(1). Consent to the release of this information may be  
19 made in the case of a minor adoptee by his or her adoptive  
20 parents or by the court after a showing of good cause. At any  
21 time, any person may withdraw, limit, or otherwise restrict  
22 consent to release information by notifying the department in  
23 writing.

24 (3)~~(2)~~ The department may charge a reasonable fee to  
25 any person seeking to enter, change, or use information in the  
26 registry. The department shall deposit such fees in a trust  
27 fund to be used by the department only for the efficient  
28 administration of this section. The department and agencies  
29 shall make counseling available for a fee to all persons  
30 seeking to use the registry, and the department shall inform  
31 all affected persons of the availability of such counseling.

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1           ~~(4)(3)~~ The adoption entity must inform the parents  
2 before parental rights are terminated, and the adoptive  
3 parents before placement, in writing, of the existence and  
4 purpose of the registry established under this section, but  
5 failure to do so does not affect the validity of any  
6 proceeding under this chapter.

7           Section 7.   Section 63.063, Florida Statutes, is  
8 created to read:

9           63.063 Paternity registry.--

10           (1) The Office of Vital Statistics of the Department  
11 of Health shall establish and maintain a paternity registry,  
12 and shall include in the paternity registry all information  
13 obtained pursuant to compliance with s. 63.062 (1) (d) 1.

14           (a) A man is not required to register with the  
15 paternity registry if:

16           1. The minor was conceived or born while he was  
17 married to the mother;

18           2. The minor is his child by adoption; or

19           3. The minor has been established by court proceeding  
20 to be his child.

21           (b) The paternity registry does not relieve the mother  
22 of the obligation to identify the known father.

23           (c) A man registering with the paternity registry  
24 shall provide the paternity registry with the following  
25 information in writing:

26           1. The name and the last known address of the mother  
27 of the minor.

28           2. The name of the minor, and the location and date of  
29 birth of the minor, if known, or the probable month and year  
30 of the expected birth of the minor.

31           3. The man's name, address, and driver's license

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1 number.

2 4. A statement in which the man claims to be the  
3 father of the named minor.

4  
5 A man who registers with the paternity registry shall promptly  
6 notify the Department of Health in writing of any change in  
7 the required information. A person who knowingly provides  
8 false information to the paternity registry commits a  
9 misdemeanor of the second degree and is subject to the  
10 provisions of s. 63.212 (2).

11 (d) Except as provided in paragraph (a), a man who  
12 claims to be the the father of a minor shall register with the  
13 paternity registry. Registration may be accepted by the  
14 Department of Health before the birth of the child, but may  
15 not be accepted by the Department of Health after the 30th day  
16 after the date of birth of the minor. A man who is required to  
17 consent pursuant to s. 63.062 and who has registered with the  
18 paternity registry is entitled to receive notice of the  
19 petition and hearing to terminate parental rights pending  
20 adoption, as required by s. 63.088.

21 1. A person who has sexual intercourse with a person  
22 of the opposite sex is deemed to have knowledge that sexual  
23 intercourse can result in a woman's pregnancy.

24 2. Ignorance of a pregnancy is not a sufficient reason  
25 for failing to register with the paternity registry.

26 (e) Except as provided in s. 63.062 (1)(b), and  
27 provided that any diligent search required by s. 63.088 has  
28 been completed, any man who fails to register with the  
29 paternity registry by the 30th day after the date of birth of  
30 the minor may not assert an interest in the minor except for  
31 an action pursuant to s. 63.089 (7).

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1           (f) Upon request, the Department of Health shall  
2 furnish a certificate attesting to the results of a search of  
3 the paternity registry to:

- 4           1. A court;  
5           2. The birth mother; or  
6           3. An adoption entity.

7           (g) If a court determines that a registrant is not the  
8 father of the minor, the court shall order the Department of  
9 Health to remove the registrant's name from the paternity  
10 registry.

11           (h) 1. The Department of Health may not charge a fee  
12 for the registration in the paternity registry.

13           2. The Department of Health may charge a reasonable  
14 fee for processing a search of the paternity registry pursuant  
15 to paragraph (f). The Department of Health shall deposit such  
16 fees in a trust fund to be used by the Department of Health  
17 only for the efficient administration of this section.

18           (i) Information maintained by the paternity registry  
19 is admissible in a proceeding in a court or administrative  
20 tribunal of this state for any purpose.

21           (j) The Department of Health shall:

22           1. Produce and distribute a pamphlet or publication  
23 informing the public about the paternity registry, including  
24 the procedures, the consequences, and the address of the  
25 paternity registry. Such pamphlet or publication shall be made  
26 available for distribution at all offices of the Department of  
27 Revenue and the Department of Health. The Department of Health  
28 shall also provide such pamphlets or publications to  
29 hospitals, libraries, medical clinics, schools, universities,  
30 and county, state, and federal jails and prisons, and other  
31 providers of child-related services, upon request.

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1           2. Provide information to the public at large through  
2 general public service announcements, or in other ways deliver  
3 information to the public about the paternity registry.

4           (2) Rules.--The Department of Health has authority to  
5 adopt rules to implement this section.

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7  
8 ===== T I T L E    A M E N D M E N T =====

9 And the title is amended as follows:

10           On page 1, line 17 to 20

11 remove: all said lines

12  
13 and insert:

14           adoption; amending s. 63.165, F.S.; renaming  
15           state adoption registry; creating s.63.063,  
16           F.S.; requiring the Office of Vital Statistics  
17           of the Department of Health to maintain a  
18           paternity registry;

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