



HB 0011

2003

1 A bill to be entitled

2 An act relating to public records; providing an exemption  
3 from public records requirements for information contained  
4 in the paternity registry maintained by the Department of  
5 Children and Family Services; providing for future  
6 legislative review and repeal of the exemption; providing  
7 a finding of public necessity; providing a contingent  
8 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 by s. 63.165, Florida Statutes, is exempt from  
14 public disclosure pursuant to s. 119.07(1), Florida Statutes,  
15 and s. 24(a), Art. I of the State Constitution, except that  
16 certificates attesting to the results of a search of the  
17 paternity registry pursuant to s. 63.165(2)(f), Florida  
18 Statutes, may be disclosed as provided in s. 63.165(2)(f),  
19 Florida Statutes. This section is subject to the Open  
20 Government Sunset Review Act of 1995 in accordance with s.  
21 119.15, Florida Statutes, and shall stand repealed on October 2,  
22 2008, unless reviewed and saved from repeal through reenactment  
23 by the Legislature.

24 Section 2. The Legislature finds that it is a public  
25 necessity to exempt from disclosure pursuant to s. 119.07(1),  
26 Florida Statutes, and s. 24(a), Art. I of the State Constitution  
27 all information contained in the paternity registry created by  
28 s. 63.165, Florida Statutes. The Legislature finds that it is  
29 good public policy to encourage putative fathers to grasp both  
30 the responsibility and the opportunity to be made legally aware



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31 of petitions and hearings to terminate their parental rights  
32 pending an adoption. The Legislature also finds that by  
33 providing legal notice to putative fathers, adoptions will be  
34 less likely to be legally disrupted. The Legislature further  
35 finds that the information required by the paternity registry  
36 reveals the existence of intimate sexual relations. Disclosure  
37 of this information would likely have a negative effect on the  
38 likelihood that putative fathers will register. Therefore, the  
39 Legislature finds that any benefit that could occur from public  
40 disclosure of the information in the paternity registry is  
41 outweighed by the necessity to ensure the due process rights of  
42 putative fathers.

43 Section 3. This act shall take effect on the same date  
44 that HB\_\_\_\_\_ or similar legislation takes effect if such  
45 legislation is adopted in the same legislative session or an  
46 extension thereof and becomes law.