

By Senator Wise

5-126-03

1 A bill to be entitled
2 An act relating to commemorative certificates;
3 amending s. 382.025, F.S.; requiring the
4 Department of Health to issue commemorative
5 certificates of stillbirth under specified
6 circumstances; amending s. 382.0255, F.S.;
7 providing fees for the issuance of
8 commemorative certificates of stillbirth;
9 providing for the use of such fees; revising
10 the designated uses for fees charged for
11 commemorative certificates of marriage;
12 providing an effective date.

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

16 Section 1. Subsection (1) of section 382.025, Florida
17 Statutes, is amended to read:

18 382.025 Certified copies of vital records;
19 confidentiality; research.--

20 (1) BIRTH RECORDS.--Except for birth records over 100
21 years old which are not under seal pursuant to court order,
22 all birth records of this state shall be confidential and are
23 exempt from the provisions of s. 119.07(1).

24 (a) Certified copies of the original birth certificate
25 or a new or amended certificate, or affidavits thereof, are
26 confidential and exempt from the provisions of s. 119.07(1)
27 and, upon receipt of a request and payment of the fee
28 prescribed in s. 382.0255, shall be issued only as authorized
29 by the department and in the form prescribed by the
30 department, and only:

31 1. To the registrant, if of legal age;

1 2. To the registrant's parent or guardian or other
2 legal representative;

3 3. Upon receipt of the registrant's death certificate,
4 to the registrant's spouse or to the registrant's child,
5 grandchild, or sibling, if of legal age, or to the legal
6 representative of any of such persons;

7 4. To any person if the birth record is over 100 years
8 old and not under seal pursuant to court order;

9 5. To a law enforcement agency for official purposes;

10 6. To any agency of the state or the United States for
11 official purposes upon approval of the department; or

12 7. Upon order of any court of competent jurisdiction.

13 (b) To protect the integrity of vital records and
14 prevent the fraudulent use of the birth certificates of
15 deceased persons, the department shall match birth and death
16 certificates and post the fact of death to the appropriate
17 birth certificate. Except for a commemorative birth
18 certificate, any certification of a birth certificate of a
19 deceased registrant shall be marked "deceased." In the case of
20 a commemorative birth certificate, such indication of death
21 shall be made on the back of the certificate. When a
22 commemorative certificate of stillbirth is issued, the
23 indication of fetal death must be made on the back of the
24 certificate.

25 (c) The department shall issue, upon request and upon
26 payment of an additional fee as prescribed under s. 382.0255,
27 a commemorative birth certificate representing that the birth
28 of the person named thereon is recorded in the office of the
29 registrar. The certificate issued under this paragraph shall
30 be in a form consistent with the need to protect the integrity
31 of vital records but shall be suitable for display. It may

1 bear the seal of the state printed thereon and may be signed
2 by the Governor.

3 (d) When a fetal death occurs, the department shall
4 issue, upon request and upon payment of a fee as prescribed
5 under s. 382.0255, a commemorative certificate of stillbirth
6 which states that the birth of the person named thereon
7 resulted in stillbirth. The certificate issued under this
8 paragraph must be in a form consistent with the need to
9 protect the integrity of vital records and must be suitable
10 for display. The seal of the state may be printed on the
11 certificate, and it may be signed by the Governor.

12 Section 2. Paragraph (i) of subsection (1) of section
13 382.0255, Florida Statutes, is amended to read:

14 382.0255 Fees.--

15 (1) The department is entitled to fees, as follows:

16 (i) Twenty-five dollars for a commemorative
17 certificate of birth, stillbirth, or marriage. Fees collected
18 for commemorative certificates of birth pursuant to this
19 paragraph in excess of expenses shall be available for use by
20 the Regional Perinatal Intensive Care Centers (RPICC) Program
21 to prevent child abuse and neglect. Funds derived from the
22 issuance of commemorative marriage certificates and
23 commemorative certificates of stillbirth shall be available
24 for use by the Improved Pregnancy Outcome Program.

25 Section 3. This act shall take effect July 1, 2003.

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28 SENATE SUMMARY

29 Requires the Department of Health to issue commemorative
30 certificates of stillbirth under specified circumstances.
31 Provides fees for the issuance of such certificates.
Provides for the use of such fees. Revises the designated
uses of fees for commemorative marriage certificates.