



HB 0983

2003  
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CHAMBER ACTION

The Committee on Judiciary recommends the following:

**Committee Substitute**

Remove the entire bill and insert:

A bill to be entitled  
 An act relating to public records; providing an exemption from public records requirements for information contained in the Florida Putative Father Registry maintained by the Office of Vital Statistics within the Department of Health; providing for future legislative review and repeal; providing a finding of public necessity; providing a contingent effective date.

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

Section 1. All information contained in the putative father registry created under s. 63.054, Florida Statutes, and maintained by the Office of Vital Statistics within the Department of Health is confidential and exempt from public disclosure pursuant to s. 119.07(1), Florida Statutes, and s. 24(a), Art. I of the State Constitution, except as expressly provided in s. 63.054(13), Florida Statutes. This section is



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29 subject to the Open Government Sunset Review Act of 1995 in  
30 accordance with s. 119.15, Florida Statutes, and shall stand  
31 repealed on October 2, 2008, unless reviewed and saved from  
32 repeal through reenactment by the Legislature.

33       Section 2. The Legislature finds that there is a public  
34 necessity to exempt from public disclosure all information  
35 contained in the Florida Putative Father Registry maintained by  
36 the Office of Vital Statistics within the Department of Health.  
37 The Legislature finds that it is good public policy to provide  
38 safeguards to protect and promote the well-being of persons  
39 being adopted and their birth parents and adoptive parents. In  
40 order to ensure that a child is legally free for adoption, the  
41 Legislature finds that any existing parental rights must be  
42 terminated in accordance with due process as protected under  
43 federal and state law. The Legislature finds that protecting the  
44 confidentiality and preventing the disclosure of the information  
45 contained in the Florida Putative Father Registry will encourage  
46 putative fathers who wish to claim paternity and assert parental  
47 rights to register in order to preserve their right to receive  
48 notice of and give consent to an adoption. The Legislature also  
49 finds that the confidentiality and exemption from public  
50 disclosure provided by this act will prevent unnecessary and  
51 unwarranted intrusion into the right of privacy of personal and  
52 sensitive information, including the existence of intimate  
53 sexual relations. Disclosure of information in the registry may  
54 also deter the collection of information integral to the best  
55 interests of a child who is or may become the subject of a  
56 proceeding for the termination of parental rights pending



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57 adoption or other relevant proceeding. Therefore, the  
58 Legislature finds that any benefit that could occur from public  
59 disclosure of the information in the registry is outweighed by  
60 the necessity to ensure the due process rights of putative  
61 fathers and to prevent unwarranted intrusion into the privacy of  
62 the individuals involved.

63 Section 3. This act shall take effect on the same date  
64 that HB 835 or similar legislation takes effect if such  
65 legislation is adopted in the same legislative session or an  
66 extension thereof and becomes law.