

By Senator Dockery

15-182A-04

1 A bill to be entitled
2 An act relating to name change petitions;
3 amending s. 68.07, F.S.; requiring that such
4 petition contain certain criminal background
5 information; requiring a report to be sent to
6 the Department of Law Enforcement and the
7 Department of Highway Safety and Motor
8 Vehicles; authorizing the Department of Law
9 Enforcement to forward the report to other law
10 enforcement agencies; providing an effective
11 date.

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

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15 Section 1. Subsections (2) and (5) of section 68.07,
16 Florida Statutes, are amended to read:

17 68.07 Change of name.--

18 (2) The petition shall include a copy of the
19 petitioner's fingerprints taken by a law enforcement agency
20 and be verified and show:

21 (a) That petitioner is a bona fide resident of and
22 domiciled in the county where the change of name is sought.

23 (b) If known, the date and place of birth of
24 petitioner, petitioner's father's name, mother's maiden name,
25 and where petitioner has resided since birth.

26 (c) If petitioner is married, the name of petitioner's
27 spouse and if petitioner has children, the names and ages of
28 each and where they reside.

29 (d) If petitioner's name has previously been changed
30 and when and where and by what court.

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1 (e) Petitioner's occupation and where petitioner is
2 employed and has been employed for 5 years next preceding
3 filing of the petition. If petitioner owns and operates a
4 business, the name and place of it shall be stated and
5 petitioner's connection therewith and how long petitioner has
6 been identified with said business. If petitioner is in a
7 profession, the profession shall be stated, where the
8 petitioner has practiced the profession and if a graduate of a
9 school or schools, the name or names thereof, time of
10 graduation, and degrees received.

11 (f) Whether the petitioner has been generally known or
12 called by any other names and if so, by what names and where.

13 (g) Whether petitioner has ever been adjudicated a
14 bankrupt and if so, where and when.

15 (h) Whether petitioner has ever been charged with,
16 pled guilty or nolo contendere to, or been found to have
17 committed a criminal offense, regardless of adjudication
18 ~~convicted of a felony~~ and if so, when and where.

19 (i) Whether any money judgment has ever been entered
20 against petitioner and if so, the name of the judgment
21 creditor, the amount and date thereof, the court by which
22 entered, and whether the judgment has been satisfied.

23 (j) That the petition is filed for no ulterior or
24 illegal purpose and granting it will not in any manner invade
25 the property rights of others, whether partnership, patent,
26 good will, privacy, trademark, or otherwise.

27 (k) That the petitioner's civil rights have never been
28 suspended, or if the petitioner's civil rights have been
29 suspended, that full restoration of civil rights has occurred.

30 (5) ~~If the petitioner is a convicted felon,~~The clerk
31 must, upon the filing of the final judgment, send a report of

1 the judgment to the Florida Department of Law Enforcement on a
2 form to be furnished by that department. The Florida
3 Department of Law Enforcement must send a copy of the report
4 to the Department of Highway Safety and Motor Vehicles, which
5 report may be by electronic transmission.The report must
6 contain sufficient information to identify the ~~original~~
7 ~~criminal record of the~~ petitioner, including fingerprints
8 taken by a law enforcement agency,the new name of the
9 petitioner, and the file number of the judgment. The Florida
10 Department of Law Enforcement and the Department of Highway
11 Safety and Motor Vehicles may revise or supplement any
12 information retained by them to reflect changes made by the
13 final judgment.With respect to a person convicted of a felony
14 in another state or of a federal offense, the Florida
15 Department of Law Enforcement must send the report to the
16 respective state's office of law enforcement records or to the
17 office of the Federal Bureau of Investigation. The Florida
18 Department of Law Enforcement may forward the report to any
19 other law enforcement agency it believes may retain
20 information related to the petitioner. Any costs from
21 fingerprinting must be paid by the petitioner.

22 Section 2. This act shall take effect July 1, 2004.

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25 SENATE SUMMARY

26 Requires that a name change petition contain certain
27 criminal background information. Requires the Florida
28 Department of Law Enforcement to send a report of a name
29 change to the Department of Highway Safety and Motor
30 Vehicles. Authorizes the Department of Law Enforcement to
31 forward the report to other law enforcement agencies.