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A bill to be entitled

An act relating to name change petitions; amending s. 68.07, F.S.; requiring name change petitions to include a copy of the petitioner's fingerprints; authorizing the use of such information to determine certain criminal background information concerning the petitioner; providing an exception in circumstances involving the restoration of a former name; requiring the clerk of court to submit certain reports to the Department of Law Enforcement; requiring the Department of Law Enforcement to submit a copy of such reports to the Department of Highway Safety and Motor Vehicles; authorizing the Department of Law Enforcement and the Department of Highway Safety and Motor Vehicles to revise or supplement certain information retained by those departments in accordance with such reports; authorizing the Department of Law Enforcement to forward the report to other law enforcement agencies; providing that the petitioner shall bear any cost associated with fingerprinting; reenacting ss. 382.002(13) and 382.016(1)(c), F.S., relating to definitions related to vital statistics and amending certain records concerning live births, respectively, for the purpose of incorporating the amendments to s. 68.07, F.S., in references thereto; providing an effective date.

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

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

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30 68.07 Change of name.--

31 (2) The petition shall include a copy of the petitioner's
 32 fingerprints taken by a law enforcement agency except where a
 33 former name is being restored and be verified and show:

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

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

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

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

44 (e) Petitioner's occupation and where petitioner is
 45 employed and has been employed for 5 years next preceding filing
 46 of the petition. If petitioner owns and operates a business, the
 47 name and place of it shall be stated and petitioner's connection
 48 therewith and how long petitioner has been identified with said
 49 business. If petitioner is in a profession, the profession shall
 50 be stated, where the petitioner has practiced the profession and
 51 if a graduate of a school or schools, the name or names thereof,
 52 time of graduation, and degrees received.

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

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

57 (h) Whether petitioner has ever been arrested for or
 58 charged with, pled guilty or nolo contendere to, or been found

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59 to have committed a criminal offense, regardless of
 60 adjudication, ~~convicted of a felony~~ and if so, when and where.

61 (i) Whether any money judgment has ever been entered
 62 against petitioner and if so, the name of the judgment creditor,
 63 the amount and date thereof, the court by which entered, and
 64 whether the judgment has been satisfied.

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

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

72 (5) ~~If the petitioner is a convicted felon,~~ The clerk
 73 must, upon the filing of the final judgment, send a report of
 74 the judgment to the ~~Florida~~ Department of Law Enforcement on a
 75 form to be furnished by that department. The Department of Law
 76 Enforcement must send a copy of the report to the Department of
 77 Highway Safety and Motor Vehicles, which may be delivered by
 78 electronic transmission. The report must contain sufficient
 79 information to identify the ~~original criminal record of the~~
 80 petitioner, including a copy of the petitioner's fingerprints
 81 taken by a law enforcement agency, the new name of the
 82 petitioner, and the file number of the judgment. Any information
 83 retained by the Department of Law Enforcement and the Department
 84 of Highway Safety and Motor Vehicles may be revised or
 85 supplemented by said departments to reflect changes made by the
 86 final judgment. With respect to a person convicted of a felony
 87 in another state or of a federal offense, the ~~Florida~~ Department

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88 of Law Enforcement must send the report to the respective
 89 state's office of law enforcement records or to the office of
 90 the Federal Bureau of Investigation. The Department of Law
 91 Enforcement may forward the report to any other law enforcement
 92 agency it believes may retain information related to the
 93 petitioner. Any costs associated with fingerprinting must be
 94 paid by the petitioner.

95 Section 2. For the purpose of incorporating the amendment
 96 to section 68.07, Florida Statutes, in a reference thereto,
 97 subsection (13) of section 382.002, Florida Statutes, is
 98 reenacted to read:

99 382.002 Definitions.--As used in this chapter, the term:
 100 (13) "Vital records" or "records" means certificates or
 101 reports of birth, death, fetal death, marriage, dissolution of
 102 marriage, name change filed pursuant to s. 68.07, and data
 103 related thereto.

104 Section 3. For the purpose of incorporating the amendment
 105 to section 68.07, Florida Statutes, in a reference thereto,
 106 paragraph (c) of subsection (1) of section 382.016, Florida
 107 Statutes, is reenacted to read:

108 382.016 Amendment of records.--The department, upon
 109 receipt of the fee prescribed in s. 382.0255; documentary
 110 evidence, as specified by rule, of any misstatement, error, or
 111 omission occurring in any birth, death, or fetal death record;
 112 and an affidavit setting forth the changes to be made, shall
 113 amend or replace the original certificate as necessary.

114 (1) CERTIFICATE OF LIVE BIRTH AMENDMENT.--
 115 (c) If a father's name is listed on the birth certificate,
 116 the birth certificate may only be amended to remove the father's

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117 name or to add a different father's name upon court order. If a
118 change in the registrant's surname is also desired, such change
119 must be included in the court order or the name must be changed
120 pursuant to s. 68.07.

121 Section 4. This act shall take effect July 1, 2004.