

Bill No. SB 1078

Barcode 954432

585-1281-06

Proposed Committee Substitute by the Committee on Governmental Oversight and Productivity

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A bill to be entitled  
An act relating to a review under the Open Government Sunset Review Act regarding child support services; amending s. 61.1827, F.S., which provides an exemption from public records requirements for information that reveals the identity of applicants for or recipients of child support services; making editorial changes; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

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

Section 1. Section 61.1827, Florida Statutes, is amended to read:

61.1827 Identifying information concerning applicants for and recipients of child support services.--

(1) Any information that reveals the identity of applicants for or recipients of child support services, including the name, address, and telephone number of such persons, ~~held by in the possession of~~ a non-Title IV-D county child support enforcement agency is confidential and exempt from ~~public disclosure pursuant to~~ s. 119.07(1) and s. 24(a) of Art. I of the State Constitution. The use or disclosure of such information by the non-Title IV-D county child support enforcement agency is limited to the purposes directly connected with:

(a) Any investigation, prosecution, or criminal or civil proceeding connected with the administration of any non-Title IV-D county child support enforcement program;

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1           (b) Mandatory disclosure of identifying and location  
 2 information as provided in s. 61.13(8) by the non-Title IV-D  
 3 county child support enforcement agency when providing  
 4 non-Title IV-D services; ~~or~~

5           (c) Mandatory disclosure of information as required by  
 6 ss. 409.2577, 61.181, 61.1825, and 61.1826 and Title IV-D of  
 7 the Social Security Act; or.

8           (d) Disclosure to an authorized person, as defined in  
 9 45 C.F.R. s. 303.15, for purposes of enforcing any state or  
 10 federal law with respect to the unlawful taking or restraint  
 11 of a child or making or enforcing a child custody or  
 12 visitation determination. As used in this paragraph, the term  
 13 "authorized person" includes a noncustodial parent, unless a  
 14 court has entered an order under s. 741.30, s. 741.31, or s.  
 15 784.046.

16           (2) The non-Title IV-D county child support  
 17 enforcement agency shall not disclose information that  
 18 identifies by name and address an applicant for or recipient  
 19 of child support services or the whereabouts of such party or  
 20 child to another person against whom a protective order with  
 21 respect to the former party or the child has been entered if  
 22 the county agency has reason to believe that the release of  
 23 information to such person could result in physical or  
 24 emotional harm to the party or the child.

25           (3) As used in this section, "non-Title IV-D county  
 26 child support enforcement agency" means a department,  
 27 division, or other agency of a county government which is  
 28 operated by the county, excluding local depositories pursuant  
 29 to s. 61.181 operated by the clerk of the court, to provide  
 30 child support enforcement and depository services to county  
 31 residents.

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1           ~~(4) This section is subject to the Open Government~~  
2 ~~Sunset Review Act of 1995 in accordance with s. 119.15 and~~  
3 ~~shall stand repealed on October 2, 2006, unless reviewed and~~  
4 ~~saved from repeal through reenactment by the Legislature.~~

5           Section 2. This act shall take effect October 1, 2006.

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