

586-667-06

1 A bill to be entitled
2 An act relating to a review under the Open
3 Government Sunset Review Act; amending s.
4 61.1827, F.S., relating to an exemption from
5 public-records requirements provided for
6 identifying information concerning applicants
7 for and recipients of child support services;
8 saving the exemption from repeal under the Open
9 Government Sunset Review Act; deleting
10 provisions providing for the repeal of the
11 exemption; providing an effective date.

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

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

17 61.1827 Identifying information concerning applicants
18 for and recipients of child support services.--

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

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

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.

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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8 SENATE SUMMARY

9 Saves from repeal under the Open Government Sunset Review
10 Act an exemption from public-records requirements
11 provided for identifying information concerning
12 applicants for and recipients of child support services.
13 Removes the repeal of the exemption scheduled on October
14 2, 2006.
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