

By the Committees on Judiciary; Children, Families, and Elder  
Affairs

590-04485-08

20081042c1

1 A bill to be entitled

2 An act relating to a review under the Open Government  
3 Sunset Review Act; amending s. 63.0541, F.S., relating to  
4 a public-records exemption for information contained in  
5 the Florida Putative Father Registry; saving the exemption  
6 from repeal under the Open Government Sunset Review Act;  
7 narrowing the exemption to allow access by the birth  
8 mother; removing superfluous provisions; repealing s. 2,  
9 ch. 2003-56, Laws of Florida, relating to provisions  
10 providing for the repeal of the exemption; providing an  
11 effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Section 63.0541, Florida Statutes, is amended to  
16 read:

17 63.0541 Public records exemption for the Florida Putative  
18 Father Registry.--

19 (1) All information contained in the Florida Putative  
20 Father Registry ~~and maintained by the Office of Vital Statistics~~  
21 ~~within the Department of Health~~ is confidential and exempt from  
22 ~~public disclosure pursuant to s. 119.07(1) and s. 24(a), Art. I~~  
23 ~~of the State Constitution, except as otherwise provided in this~~  
24 ~~section.~~

25 (2) Information made confidential and exempt by this  
26 section shall be disclosed to:

27 (a) An adoption entity, upon the filing of a request for a  
28 diligent search of the Florida Putative Father Registry in  
29 connection with the planned adoption of a child.

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30 (b) The registrant unmarried biological father, upon  
31 receipt of a notarized request for a copy of his registry entry  
32 only.

33 (c) The birth mother, upon receipt of a notarized request  
34 for a copy of any registry entry in which she is identified as  
35 the birth mother.

36 (d) ~~(e)~~ The court, upon issuance of a court order concerning  
37 a petitioner acting pro se in an action under this chapter.

38 (3) ~~(2)~~ ~~Except as set forth in subsection (1),~~ The database  
39 comprising the Florida Putative Father Registry shall remain  
40 ~~confidential and exempt and separate from all other databases in~~  
41 ~~this state, including any local or federal database. Such~~  
42 ~~database may not be accessed by any other state or federal agency~~  
43 ~~or entity.~~

44 Section 2. Section 2 of chapter 2003-56, Laws of Florida,  
45 is repealed.

46 Section 3. This act shall take effect October 1, 2008.