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LEGISLATIVE ACTION

Senate

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House

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Floor: 1/AD/2R

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04/21/2010 05:29 PM

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Senator Storms moved the following:

Senate Amendment (with title amendment)

Between lines 272 and 273

insert:

Section 3. Subsection (2) of section 382.013, Florida Statutes, is amended to read:

382.013 Birth registration.—A certificate for each live birth that occurs in this state shall be filed within 5 days after such birth with the local registrar of the district in which the birth occurred and shall be registered by the local registrar if the certificate has been completed and filed in accordance with this chapter and adopted rules. The information



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14 regarding registered births shall be used for comparison with
15 information in the state case registry, as defined in chapter
16 61.

17 (2) PATERNITY.—

18 (a) If the mother is married at the time of birth, the name
19 of the husband shall be entered on the birth certificate as the
20 father of the child, unless paternity has been determined
21 otherwise by a court of competent jurisdiction.

22 (b) Notwithstanding paragraph (a), if the husband of the
23 mother dies while the mother is pregnant but before the birth of
24 the child, the name of the deceased husband shall be entered on
25 the birth certificate as the father of the child, unless
26 paternity has been determined otherwise by a court of competent
27 jurisdiction.

28 (c) If the mother is not married at the time of the birth,
29 the name of the father may not be entered on the birth
30 certificate without the execution of an affidavit signed by both
31 the mother and the person to be named as the father. The
32 facility shall give notice orally or through the use of video or
33 audio equipment, and in writing, of the alternatives to, the
34 legal consequences of, and the rights, including, if one parent
35 is a minor, any rights afforded due to minority status, and
36 responsibilities that arise from signing an acknowledgment of
37 paternity, as well as information provided by the Title IV-D
38 agency established pursuant to s. 409.2557, regarding the
39 benefits of voluntary establishment of paternity. Upon request
40 of the mother and the person to be named as the father, the
41 facility shall assist in the execution of the affidavit, a
42 notarized voluntary acknowledgment of paternity, or a voluntary



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43 acknowledgment of paternity that is witnessed by two individuals
44 and signed under penalty of perjury as specified by s.
45 92.525(2).

46 (d) If the paternity of the child is determined by a court
47 of competent jurisdiction as provided under s. 382.015 or there
48 is a final judgment of dissolution of marriage which requires
49 the former husband to pay child support for the child, the name
50 of the father and the surname of the child shall be entered on
51 the certificate in accordance with the finding and order of the
52 court. If the court fails to specify a surname for the child,
53 the surname shall be entered in accordance with subsection (3).

54 (e) If the paternity of the child is determined pursuant to
55 s. 409.256, the name of the father and the surname of the child
56 shall be entered on the certificate in accordance with the
57 finding and order of the Department of Revenue.

58 (f) If the mother and father marry each other at any time
59 after the child's birth, upon receipt of a marriage license that
60 identifies any such child, the department shall amend the
61 certificate with regard to the parents' marital status as though
62 the parents were married at the time of birth.

63 (g) ~~(f)~~ If the father is not named on the certificate, no
64 other information about the father shall be entered on the
65 certificate.

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67 ===== T I T L E A M E N D M E N T =====
68 And the title is amended as follows:

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70 Delete line 13
71 and insert:



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obligation for child support; amending s. 382.013,
F.S.; providing that if the mother and father of a
child marry each other at any time after the child's
birth, the Department of Health shall amend the
certificate with regard to the parents' marital status
as though the parents were married at the time of
birth; amending s. 382.015,