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CS/HB 1351

2012 Legislature

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2 An act relating to homeless youth; amending s.
3 382.002, F.S.; defining the term "certified homeless
4 youth"; conforming a cross-reference; amending s.
5 382.0085, F.S.; conforming cross-references; amending
6 s. 382.025, F.S.; providing that a minor who is a
7 certified homeless youth or who has had the
8 disabilities on nonage removed under specified
9 provisions may obtain a certified copy of his or her
10 birth certificate; creating s. 743.067, F.S.;
11 providing that unaccompanied youths who are certified
12 homeless youths 16 years of age or older who apply to
13 a court to have the disabilities of nonage removed
14 shall have court costs waived; requiring a court to
15 advance such cases on the calendar; providing an
16 effective date.

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

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20 Section 1. Subsections (3) through (16) of section
21 382.002, Florida Statutes, are renumbered as subsections (4)
22 through (17), respectively, a new subsection (3) is added to
23 that section, and present subsections (7) and (8) of that
24 section are amended, to read:

25 382.002 Definitions.—As used in this chapter, the term:
26 (3) "Certified homeless youth" means a minor who is a
27 homeless child or youth, including an unaccompanied youth, as
28 those terms are defined in 42 U.S.C. s. 11434a, and who has been

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29 certified as homeless or unaccompanied by:

30 (a) A school district homeless liaison;

31 (b) The director of an emergency shelter program funded by
32 the United States Department of Housing and Urban Development,
33 or the director's designee; or

34 (c) The director of a runaway or homeless youth basic
35 center or transitional living program funded by the United
36 States Department of Health and Human Services, or the
37 director's designee.

38 (8)~~(7)~~ "Final disposition" means the burial, interment,
39 cremation, removal from the state, or other authorized
40 disposition of a dead body or a fetus as described in subsection
41 (7) ~~(6)~~. In the case of cremation, dispersion of ashes or
42 cremation residue is considered to occur after final
43 disposition; the cremation itself is considered final
44 disposition.

45 (9)~~(8)~~ "Funeral director" means a licensed funeral
46 director or direct disposer licensed pursuant to chapter 497 or
47 other person who first assumes custody of or effects the final
48 disposition of a dead body or a fetus as described in subsection
49 (7) ~~(6)~~.

50 Section 2. Subsection (9) of section 382.0085, Florida
51 Statutes, is amended to read:

52 382.0085 Stillbirth registration.—

53 (9) This section or s. 382.002(15) ~~382.002(14)~~ may not be
54 used to establish, bring, or support a civil cause of action
55 seeking damages against any person or entity for bodily injury,
56 personal injury, or wrongful death for a stillbirth.

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57 Section 3. Paragraph (a) of subsection (1) of section
58 382.025, Florida Statutes, is amended to read:

59 382.025 Certified copies of vital records;
60 confidentiality; research.—

61 (1) BIRTH RECORDS.—Except for birth records over 100 years
62 old which are not under seal pursuant to court order, all birth
63 records of this state shall be confidential and are exempt from
64 the provisions of s. 119.07(1).

65 (a) Certified copies of the original birth certificate or
66 a new or amended certificate, or affidavits thereof, are
67 confidential and exempt from the provisions of s. 119.07(1) and,
68 upon receipt of a request and payment of the fee prescribed in
69 s. 382.0255, shall be issued only as authorized by the
70 department and in the form prescribed by the department, and
71 only:

72 1. To the registrant, if the registrant is of legal age,
73 is a certified homeless youth, or is a minor who has had the
74 disabilities of nonage removed under s. 743.01 or s. 743.015;

75 2. To the registrant's parent or guardian or other legal
76 representative;

77 3. Upon receipt of the registrant's death certificate, to
78 the registrant's spouse or to the registrant's child,
79 grandchild, or sibling, if of legal age, or to the legal
80 representative of any of such persons;

81 4. To any person if the birth record is over 100 years old
82 and not under seal pursuant to court order;

83 5. To a law enforcement agency for official purposes;

84 6. To any agency of the state or the United States for

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85 official purposes upon approval of the department; or

86 7. Upon order of any court of competent jurisdiction.

87 Section 4. Section 743.067, Florida Statutes, is created
88 to read:

89 743.067 Unaccompanied youths.—An unaccompanied youth, as
90 defined in 42 U.S.C. s. 11434a, who is also a certified homeless
91 youth, as defined in s. 382.002, and who is 16 years of age or
92 older may petition the circuit court to have the disabilities of
93 nonage removed under s. 743.015. The youth shall qualify as a
94 person not required to prepay costs and fees as provided in s.
95 57.081. The court shall advance the cause on the calendar.

96 Section 5. This act shall take effect July 1, 2012.