

By Senator Latvala

16-01165B-12

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1 A bill to be entitled
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 shall have
13 specified rights as long as they retain that status;
14 providing an effective date.

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

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

23 382.002 Definitions.—As used in this chapter, the term:

24 (3) "Certified homeless youth" means a minor who is a
25 homeless child or youth, including an unaccompanied youth, as
26 those terms are defined in 42 U.S.C. s. 11434a, and who has been
27 certified as homeless or unaccompanied by:

28 (a) A school district homeless liaison;

29 (b) The director of an emergency shelter program funded by

16-01165B-12

20121662

30 the United States Department of Housing and Urban Development,
31 or the director's designee; or

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

36 (8)~~(7)~~ "Final disposition" means the burial, interment,
37 cremation, removal from the state, or other authorized
38 disposition of a dead body or a fetus as described in subsection
39 (7) ~~(6)~~. In the case of cremation, dispersion of ashes or
40 cremation residue is considered to occur after final
41 disposition; the cremation itself is considered final
42 disposition.

43 (9)~~(8)~~ "Funeral director" means a licensed funeral director
44 or direct disposer licensed pursuant to chapter 497 or other
45 person who first assumes custody of or effects the final
46 disposition of a dead body or a fetus as described in subsection
47 (7) ~~(6)~~.

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

50 382.0085 Stillbirth registration.—

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

55 Section 3. Paragraph (a) of subsection (1) of section
56 382.025, Florida Statutes, is amended to read:

57 382.025 Certified copies of vital records; confidentiality;
58 research.—

16-01165B-12

20121662

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

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

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

73 2. To the registrant's parent or guardian or other legal
74 representative;

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

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

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

82 6. To any agency of the state or the United States for
83 official purposes upon approval of the department; or

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

85 Section 4. Section 743.067, Florida Statutes, is created to
86 read:

87 743.067 Unaccompanied youths.—An unaccompanied youth, as

16-01165B-12

20121662__

88 defined in 42 U.S.C. s. 11434a, who is also a certified homeless
89 youth, as defined in s. 382.002, and who is 16 years of age or
90 older shall have the same rights as a minor who has had the
91 disabilities of nonage removed under s. 743.015 and may not be
92 required to have a parent or guardian's consent for any purpose
93 for as long as he or she meets the criteria of those
94 definitions.

95 Section 5. This act shall take effect upon becoming a law.