



525374

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/23/2014	.	
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The Committee on Appropriations (Richter) recommended the following:

1 **Senate Amendment to Amendment (465622) (with title**
2 **amendment)**

3
4 Delete lines 1796 - 1831
5 and insert:

6 Section 20. Paragraph (g) of subsection (1) and subsection
7 (8) of section 63.212, Florida Statutes, are amended to read:

8 63.212 Prohibited acts; penalties for violation.—

9 (1) It is unlawful for any person:

10 (g) Except an adoption entity, to place an advertisement



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11 ~~advertise~~ or offer to the public, in any way, by any medium
12 whatever that a minor is available for adoption or that a minor
13 is sought for adoption; and, further, it is unlawful for any
14 person purchasing advertising space or purchasing broadcast time
15 to advertise adoption services to fail to include in any
16 publication ~~publish~~ or fail to include in the broadcast for any
17 such advertisement ~~the or assist an unlicensed person or entity~~
18 in publishing or broadcasting any such advertisement without
19 including a Florida license number of the adoption entity agency
20 or the Florida Bar number of the attorney placing the
21 advertisement.

22 1. Only a person who is an attorney licensed to practice
23 law in this state or an adoption entity licensed under the laws
24 of this state may place a paid advertisement or paid listing of
25 the person's telephone number, on the person's own behalf, in a
26 telephone directory that:

- 27 a. A child is offered or wanted for adoption; or
28 b. The person is able to place, locate, or receive a child
29 for adoption.

30 2. A person who publishes a telephone directory that is
31 distributed in this state:

32 ~~a.~~ shall include, at the beginning of any classified
33 heading for adoption and adoption services, a statement that
34 informs directory users that only attorneys licensed to practice
35 law in this state and licensed adoption entities may legally
36 provide adoption services under state law.

37 ~~3.b.~~ A person who places ~~may publish~~ an advertisement
38 described in subparagraph 1. in a ~~the~~ telephone directory must
39 include ~~only if the advertisement contains~~ the following



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40 information:

41 ~~a.-(I)~~ For an attorney licensed to practice law in this
42 state, the person's Florida Bar number.

43 ~~b.-(II)~~ For a child-placing ~~child-placing~~ agency licensed
44 under the laws of this state, the number on the person's
45 adoption entity license.

46 (8) Unless otherwise indicated, a person who willfully and with
47 criminal intent violates any provision of this section,
48 excluding paragraph (1)(g), commits a felony of the third
49 degree, punishable as provided in s. 775.082, s. 775.083, or s.
50 775.084. A person who willfully and with criminal intent
51 violates paragraph (1)(g) commits a misdemeanor of the second
52 degree, punishable as provided in s. 775.083; and each day of
53 continuing violation shall be considered a separate offense. ~~In~~
54 ~~addition, any person who knowingly publishes or assists with the~~
55 ~~publication of any advertisement or other publication which~~
56 ~~violates the requirements of paragraph (1)(g) commits a~~
57 ~~misdemeanor of the second degree, punishable as provided in s.~~
58 ~~775.083, and may be required to pay a fine of up to \$150 per day~~
59 ~~for each day of continuing violation.~~

60
61 ===== T I T L E A M E N D M E N T =====

62 And the title is amended as follows:

63 Delete lines 4072 - 4074

64 and insert:

65 63.212, F.S.; revising advertising requirements for
66 adoption services; requiring a person who places an
67 advertisement for adoption services to provide
68 specified information; deleting a criminal penalty for



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knowingly publishing or assisting in the publication
of an advertisement that violates specified
provisions; amending s. 383.402, F.S.;