

By Senator Baxley

12-00714-17

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1 A bill to be entitled

2 An act relating to adoptee birth certificates;
3 amending s. 382.015, F.S.; requiring the Department of
4 Health to issue a noncertified copy of an original
5 birth certificate to certain adoptees under certain
6 conditions; requiring the department to develop
7 policies and procedures; providing for a fee;
8 providing an effective date.
9

10 Be It Enacted by the Legislature of the State of Florida:
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12 Section 1. Subsections (5) and (6) of section 382.015,
13 Florida Statutes, are renumbered as subsections (6) and (7),
14 respectively, and a new subsection (5) is added to that section,
15 to read:

16 382.015 New certificates of live birth; duty of clerks of
17 court and department; noncertified copy of original birth
18 certificate.—The clerk of the court in which any proceeding for
19 adoption, annulment of an adoption, affirmation of parental
20 status, or determination of paternity is to be registered, shall
21 within 30 days after the final disposition, forward to the
22 department a certified copy of the court order, or a report of
23 the proceedings upon a form to be furnished by the department,
24 together with sufficient information to identify the original
25 birth certificate and to enable the preparation of a new birth
26 certificate. The clerk of the court shall implement a monitoring
27 and quality control plan to ensure that all judicial
28 determinations of paternity are reported to the department in
29 compliance with this section. The department shall track
30 paternity determinations reported monthly by county, monitor
31 compliance with the 30-day timeframe, and report the data to the
32 clerks of the court quarterly.

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33 (5) NONCERTIFIED COPY OF ORIGINAL BIRTH CERTIFICATE.-

34 (a) Notwithstanding any other provision of law, an adoptee
35 who is at least 18 years of age, or if the adoptee is deceased,
36 the adoptee's descendants, or the legal representative of such
37 an adoptee may apply to the department for a noncertified copy
38 of the adoptee's original birth certificate. The department
39 shall issue a noncertified copy of the original birth
40 certificate, together with the documents forwarded to the
41 department pursuant to subsection (1), within 45 days after
42 receipt of the application, if the application complies with the
43 requirements of this subsection.

44 (b) The department shall develop policies and procedures
45 necessary to implement this subsection by February 1, 2018.

46 (c) The department may charge a fee for issuing a
47 noncertified copy of an original birth certificate. The fee may
48 not exceed the fee for a certified copy of an original birth
49 certificate under s. 382.0255.

50 Section 2. This act shall take effect July 1, 2017.