

By the Committee on Health Policy

588-01044-22

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1 A bill to be entitled
2 An act relating to a review under the Open Government
3 Sunset Review Act; amending s. 382.008, F.S., which
4 provides an exemption from public records requirements
5 for certain information included in nonviable birth
6 certificates; removing the scheduled repeal of the
7 exemption; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Subsection (8) of section 382.008, Florida
12 Statutes, is amended to read:

13 382.008 Death, fetal death, and nonviable birth
14 registration.—

15 (8) (a) The original nonviable birth certificate shall
16 contain all of the information required by the department for
17 legal, social, and health research purposes. The department may
18 issue a certified copy of an original nonviable birth
19 certificate which includes the confidential and exempt
20 information:

- 21 1. To the fetus' parent;
22 2. To any local, state, or federal agency for official
23 purposes upon approval by the department; or
24 3. Upon the order of any court of competent jurisdiction.

25 (b) All information relating to the cause of death and
26 parentage of a nonviable fetus, the marital status of such
27 fetus' parent, and any medical information included in nonviable
28 birth records held by a state agency is confidential and exempt
29 from s. 119.07(1) and s. 24(a), Art. I of the State

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30 Constitution, but may be released for health research purposes
31 as approved by the department.

32 (c) The department shall authorize the issuance of a
33 certified copy of all or part of an original nonviable birth
34 certificate, excluding any information that is confidential and
35 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
36 Constitution, to any person requesting such copy, pursuant to
37 paragraph (b), upon receipt of a request and payment of the fee
38 prescribed in s. 382.0255.

39 ~~(d) This subsection is subject to the Open Government~~
40 ~~Review Act in accordance with s. 119.15, and shall stand~~
41 ~~repealed on October 2, 2022, unless reviewed and saved from~~
42 ~~repeal through reenactment by the Legislature.~~

43 Section 2. This act shall take effect October 1, 2022.