

**FOR CONSIDERATION** By the Committee on Health Policy

588-00708-22

20227000pb

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.

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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.