

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 original birth  
5           certificate to certain adoptees under certain  
6           conditions; requiring the department to develop  
7           certain forms and make such forms available to birth  
8           parents; providing application procedures; providing  
9           for a fee; providing construction; providing an  
10          effective date.

11  
12   Be It Enacted by the Legislature of the State of Florida:

13  
14          Section 1. Subsections (5) and (6) of section 382.015,  
15          Florida Statutes, are renumbered as subsections (6) and (7),  
16          respectively, and a new subsection (5) is added to that section,  
17          to read:

18          382.015   New certificates of live birth; duty of clerks of  
19          court and department; noncertified copy of original birth  
20          certificate.—The clerk of the court in which any proceeding for  
21          adoption, annulment of an adoption, affirmation of parental  
22          status, or determination of paternity is to be registered, shall  
23          within 30 days after the final disposition, forward to the  
24          department a certified copy of the court order, or a report of  
25          the proceedings upon a form to be furnished by the department,

26 together with sufficient information to identify the original  
27 birth certificate and to enable the preparation of a new birth  
28 certificate. The clerk of the court shall implement a monitoring  
29 and quality control plan to ensure that all judicial  
30 determinations of paternity are reported to the department in  
31 compliance with this section. The department shall track  
32 paternity determinations reported monthly by county, monitor  
33 compliance with the 30-day timeframe, and report the data to the  
34 clerks of the court quarterly.

35 (5) NONCERTIFIED COPY OF ORIGINAL BIRTH CERTIFICATE.—A  
36 noncertified copy of original birth certificate is a summary of  
37 the original birth certificate, similar in form to a certified  
38 copy of an original birth certificate, that consists of only the  
39 names and ages of the birth parents, the date when the child was  
40 born, the county where the child was born, and the name given to  
41 the child at birth.

42 (a) Notwithstanding any other provision of law, an adoptee  
43 who is at least 18 years of age and who has graduated from high  
44 school, completed the requirements for a high school equivalency  
45 diploma or its equivalent, or legally withdrawn from secondary  
46 schooling, or if the adoptee is deceased, the adoptee's  
47 descendants, may apply to the department for a noncertified copy  
48 of the adoptee's original birth certificate. The department  
49 shall issue a noncertified copy of original birth certificate  
50 within 45 days after receipt of the application if the

51 application complies with the requirements of this subsection.

52 (b) The department shall develop and make available to  
53 each birth parent named on the original birth certificate a  
54 contact preference form on which the birth parent may state a  
55 preference regarding contact by an adoptee who is the birth  
56 child of the birth parent. The department shall provide a birth  
57 parent who requests such form with a medical history form which  
58 must be completed, updated, and returned to the department with  
59 the contact preference form. The birth parent shall choose one  
60 of the following options on the contact preference form:

61 1. "I would like to be contacted. I have completed the  
62 contact preference form and an updated medical history form and  
63 am filing them with the Department of Health";

64 2. "I would prefer to be contacted only through an  
65 intermediary. I have completed the contact preference form and  
66 an updated medical history form and am filing them with the  
67 Department of Health"; or

68 3. "Do not contact me. I may change this preference by  
69 filling out another contact preference form. I have completed  
70 the contact preference form and an updated medical history form  
71 and am filing them with the Department of Health."

72 (c) The department shall develop policies and procedures  
73 necessary to implement this section by February 1, 2019.

74 (d) The department may charge a fee for issuing a  
75 noncertified copy of original birth certificate. The fee may not

HB 77

2018

76 | exceed the fee for a certified copy of an original birth  
77 | certificate under s. 382.0255.

78 |       (e) This section may not be construed to permit disclosure  
79 | of an adoptee's birth record to the birth parents of an adoptee.

80 |       Section 2. This act shall take effect July 1, 2018.