

1                                    A bill to be entitled  
 2                    An act relating to family law court recordings;  
 3                    amending s. 61.13, F.S.; requiring that certain family  
 4                    law court proceedings be electronically or  
 5                    stenographically recorded; prohibiting such recording  
 6                    from omitting any part of the proceeding; providing  
 7                    exceptions; requiring that the recordings or  
 8                    transcripts of the proceedings be made available to  
 9                    the parties for purchase; requiring the court to  
 10                  provide an indigent party with an electronic recording  
 11                  of the proceedings at no cost, upon request; requiring  
 12                  the court to provide an indigent party with a  
 13                  specified transcript of the proceedings at no cost  
 14                  under certain circumstances; amending ss. 61.1827 and  
 15                  409.2579, F.S.; conforming cross-references; providing  
 16                  an effective date.

17  
 18                  Be It Enacted by the Legislature of the State of Florida:

19  
 20                  Section 1. Subsections (7), (8), and (9) of section 61.13,  
 21                  Florida Statutes, are renumbered as subsections (8), (9), and  
 22                  (10), respectively, and a new subsection (7) is added to that  
 23                  section, to read:

24                  61.13 Support of children; parenting and time-sharing;  
 25                  powers of court.—

26        (7) (a) Any court proceeding in which issues of parental  
27 responsibility or time-sharing are noticed must be  
28 electronically or stenographically recorded to establish a  
29 complete record, and the recordings or transcripts of the  
30 proceeding must be made available to the parties for purchase.  
31 The electronic or stenographic recording may not omit any part  
32 of the proceeding unless all of the parties agree, upon the  
33 request of one party for good cause shown, or upon the request  
34 of the guardian ad litem based on the safety, well-being, or  
35 best interests of the child. The court must approve the  
36 agreement or request.

37        (b) Upon request, the court must provide an electronic  
38 recording of the proceeding, at no cost, to a party who has been  
39 determined indigent by the court or by the clerk of court  
40 pursuant to s. 27.52. Upon entry of a court order or if an  
41 indigent party files an appeal, the court must provide  
42 transcripts of the proceeding that are prepared by an approved  
43 court reporter or transcriptionist at no cost to the indigent  
44 party.

45        Section 2. Subsection (1) of section 61.1827, Florida  
46 Statutes, is amended to read:

47        61.1827 Identifying information concerning applicants for  
48 and recipients of child support services.—

49        (1) Any information that reveals the identity of  
50 applicants for or recipients of child support services,

51 including the name, address, and telephone number of such  
52 persons, held by a non-Title IV-D county child support  
53 enforcement agency is confidential and exempt from s. 119.07(1)  
54 and s. 24(a) of Art. I of the State Constitution. The use or  
55 disclosure of such information by the non-Title IV-D county  
56 child support enforcement agency is limited to the purposes  
57 directly connected with:

58 (a) Any investigation, prosecution, or criminal or civil  
59 proceeding connected with the administration of any non-Title  
60 IV-D county child support enforcement program;

61 (b) Mandatory disclosure of identifying and location  
62 information as provided in s. 61.13(8) ~~s. 61.13(7)~~ by the non-  
63 Title IV-D county child support enforcement agency when  
64 providing non-Title IV-D services;

65 (c) Mandatory disclosure of information as required by ss.  
66 409.2577, 61.181, 61.1825, and 61.1826 and Title IV-D of the  
67 Social Security Act; or

68 (d) Disclosure to an authorized person, as defined in 45  
69 C.F.R. s. 303.15, for purposes of enforcing any state or federal  
70 law with respect to the unlawful taking or restraint of a child  
71 or making or enforcing a parenting plan. As used in this  
72 paragraph, the term "authorized person" includes a parent with  
73 whom the child does not currently reside, unless a court has  
74 entered an order under s. 741.30, s. 741.31, or s. 784.046.

75 Section 3. Subsection (1) of section 409.2579, Florida

76 Statutes, is amended to read:

77 409.2579 Safeguarding Title IV-D case file information.—

78 (1) Information concerning applicants for or recipients of  
 79 Title IV-D child support services is confidential and exempt  
 80 from the provisions of s. 119.07(1). The use or disclosure of  
 81 such information by the IV-D program is limited to purposes  
 82 directly connected with:

83 (a) The administration of the plan or program approved  
 84 under part A, part B, part D, part E, or part F of Title IV;  
 85 under Title II, Title X, Title XIV, Title XVI, Title XIX, or  
 86 Title XX; or under the supplemental security income program  
 87 established under Title XVI of the Social Security Act;

88 (b) Any investigation, prosecution, or criminal or civil  
 89 proceeding connected with the administration of any such plan or  
 90 program;

91 (c) The administration of any other federal or federally  
 92 assisted program which provides service or assistance, in cash  
 93 or in kind, directly to individuals on the basis of need;

94 (d) Reporting to an appropriate agency or official,  
 95 information on known or suspected instances of physical or  
 96 mental injury, child abuse, sexual abuse or exploitation, or  
 97 negligent treatment or maltreatment of a child who is the  
 98 subject of a support enforcement activity under circumstances  
 99 which indicate that the child's health or welfare is threatened  
 100 thereby; and

HB 339

2022

101           (e) Mandatory disclosure of identifying and location  
102 information as provided in s. 61.13(8) ~~s. 61.13(7)~~ by the IV-D  
103 program when providing Title IV-D services.

104           Section 4. This act shall take effect July 1, 2024.