

HB 1351

2012

1 A bill to be entitled
 2 An act relating to homeless youth; amending s.
 3 382.002, F.S.; defining the term "certified homeless
 4 youth"; conforming a cross-reference; amending s.
 5 382.0085, F.S.; conforming cross-references; amending
 6 s. 382.025, F.S.; providing that a minor who is a
 7 certified homeless youth or who has had the
 8 disabilities on nonage removed under specified
 9 provisions may obtain a certified copy of his or her
 10 birth certificate; creating s. 743.067, F.S.;
 11 providing that unaccompanied youths who are certified
 12 homeless youths 16 years of age or older shall have
 13 specified rights as long as they retain that status;
 14 providing an effective date.

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 16 Be It Enacted by the Legislature of the State of Florida:

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 18 Section 1. Subsections (3) through (16) of section
 19 382.002, Florida Statutes, are renumbered as subsections (4)
 20 through (17), respectively, a new subsection (3) is added to
 21 that section, and present subsections (7) and (8) of that
 22 section are amended, to read:

23 382.002 Definitions.—As used in this chapter, the term:

24 (3) "Certified homeless youth" means a minor who is a
 25 homeless child or youth, including an unaccompanied youth, as
 26 those terms are defined in 42 U.S.C. s. 11434a, and who has been
 27 certified as homeless or unaccompanied by:

28 (a) A school district homeless liaison;

29 (b) The director of an emergency shelter program funded by
 30 the United States Department of Housing and Urban Development,
 31 or the director's designee; or

32 (c) The director of a runaway or homeless youth basic
 33 center or transitional living program funded by the United
 34 States Department of Health and Human Services, or the
 35 director's designee.

36 (8)~~(7)~~ "Final disposition" means the burial, interment,
 37 cremation, removal from the state, or other authorized
 38 disposition of a dead body or a fetus as described in subsection
 39 (7) ~~(6)~~. In the case of cremation, dispersion of ashes or
 40 cremation residue is considered to occur after final
 41 disposition; the cremation itself is considered final
 42 disposition.

43 (9)~~(8)~~ "Funeral director" means a licensed funeral
 44 director or direct disposer licensed pursuant to chapter 497 or
 45 other person who first assumes custody of or effects the final
 46 disposition of a dead body or a fetus as described in subsection
 47 (7) ~~(6)~~.

48 Section 2. Subsection (9) of section 382.0085, Florida
 49 Statutes, is amended to read:

50 382.0085 Stillbirth registration.—

51 (9) This section or s. 382.002(15) ~~382.002(14)~~ may not be
 52 used to establish, bring, or support a civil cause of action
 53 seeking damages against any person or entity for bodily injury,
 54 personal injury, or wrongful death for a stillbirth.

55 Section 3. Paragraph (a) of subsection (1) of section
 56 382.025, Florida Statutes, is amended to read:

57 382.025 Certified copies of vital records;
 58 confidentiality; research.—

59 (1) BIRTH RECORDS.—Except for birth records over 100 years
 60 old which are not under seal pursuant to court order, all birth
 61 records of this state shall be confidential and are exempt from
 62 the provisions of s. 119.07(1).

63 (a) Certified copies of the original birth certificate or
 64 a new or amended certificate, or affidavits thereof, are
 65 confidential and exempt from the provisions of s. 119.07(1) and,
 66 upon receipt of a request and payment of the fee prescribed in
 67 s. 382.0255, shall be issued only as authorized by the
 68 department and in the form prescribed by the department, and
 69 only:

70 1. To the registrant, if the registrant is of legal age,
 71 is a certified homeless youth, or is a minor who has had the
 72 disabilities of nonage removed under s. 743.01 or s. 743.015;

73 2. To the registrant's parent or guardian or other legal
 74 representative;

75 3. Upon receipt of the registrant's death certificate, to
 76 the registrant's spouse or to the registrant's child,
 77 grandchild, or sibling, if of legal age, or to the legal
 78 representative of any of such persons;

79 4. To any person if the birth record is over 100 years old
 80 and not under seal pursuant to court order;

81 5. To a law enforcement agency for official purposes;

82 6. To any agency of the state or the United States for
 83 official purposes upon approval of the department; or

84 7. Upon order of any court of competent jurisdiction.

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85 Section 4. Section 743.067, Florida Statutes, is created
86 to read:

87 743.067 Unaccompanied youths.—An unaccompanied youth, as
88 defined in 42 U.S.C. s. 11434a, who is also a certified homeless
89 youth, as defined in s. 382.002, who is 16 years of age or older
90 shall have the same rights as a minor who has had the
91 disabilities of nonage removed under s. 743.015 and may not be
92 required to have a parent or guardian's consent for any purpose
93 for as long as he or she meets the criteria of those
94 definitions.

95 Section 5. This act shall take effect upon becoming a law.