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1 A bill to be entitled 2 An act relating to shared parental responsibility 3 after the establishment of paternity; amending s. 4 742.011, F.S.; authorizing a parent to request certain 5 determinations and the creation of a parenting plan 6 and time-sharing schedule; amending s. 742.10, F.S.; 7 requiring the determination of parental responsibility 8 and the establishment of a parenting plan, a time-9 sharing schedule, or child support to be done through a certain action; amending s. 744.301, F.S.; 10 11 specifying that a mother of a child born out of wedlock and the father of such child are the natural 12 13 guardians of the child and subject to the rights and responsibilities of being parents if certain 14 15 conditions are met; providing an effective date. 16 17 Be It Enacted by the Legislature of the State of Florida: 18 19 Section 1. Section 742.011, Florida Statutes, is amended 20 to read: 21 742.011 Proceedings for determination of paternity, 22 rights, and responsibilities proceedings; jurisdiction.-Any 23 woman who is pregnant or has a child, any man who has reason to 24 believe that he is the father of a child, or any child may bring 25 proceedings in the circuit court, in chancery, to determine the Page 1 of 3

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26	paternity of the child when paternity has not been established
27	by law or otherwise. After the birth of the child, a parent may
28	request a determination of parental responsibility and child
29	support and for the creation of a parenting plan and time-
30	sharing schedule pursuant to chapter 61.
31	Section 2. Subsection (5) of section 742.10, Florida
32	Statutes, is amended to read:
33	742.10 Establishment of paternity for children born out of
34	wedlock
35	(5) Regardless of whether paternity is established in an
36	action under s. 742.011 or this section, the determination of
37	parental responsibility and a parenting plan, a time-sharing
38	schedule, or child support must be established in an action
39	brought under s. 742.011 Judicial or administrative proceedings
40	are not required or permitted to ratify an unchallenged
41	acknowledgment of paternity.
42	Section 3. Subsection (1) of section 744.301, Florida
43	Statutes, is amended to read:
44	744.301 Natural guardians
45	(1) The parents jointly are the natural guardians of their
46	own children and of their adopted children, during minority,
47	unless the parents' parental rights have been terminated
48	pursuant to chapter 39. If a child is the subject of any
49	proceeding under chapter 39, the parents may act as natural
50	guardians under this section unless the court division with
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51 jurisdiction over guardianship matters finds that it is not in 52 the child's best interests. If one parent dies, the surviving 53 parent remains the sole natural guardian even if he or she 54 remarries. If the marriage between the parents is dissolved, the 55 natural guardianship belongs to the parent to whom sole parental 56 responsibility has been granted, or if the parents have been 57 granted shared parental responsibility, both continue as natural 58 guardians. If the marriage is dissolved and neither parent is 59 given parental responsibility for the child, neither may act as natural guardian of the child. The mother of a child born out of 60 61 wedlock and a father who has signed a voluntary acknowledgment of paternity or established paternity under s. 742.011 or s. 62 742.10 are the natural guardians of the child and are entitled 63 64 and subject to the rights and responsibilities of parents. If a 65 father has not established paternity under s. 742.011 or s. 66 742.10(1), the mother of a child born out of wedlock is the 67 natural guardian of the child and is entitled to primary 68 residential care and custody of the child unless the court 69 enters an order stating otherwise.

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Section 4. This act shall take effect July 1, 2023.

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