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 child support and the creation of a parenting plan							
9	and time-sharing schedule to be done through a certain							
10	action; providing construction; amending s. 744.301,							
11	F.S.; specifying that a mother of a child born out of							
12	wedlock and a father who has established paternity of							
13	such child are the natural guardians of the child and							
14	subject to the rights and responsibilities of being							
15	parents; specifying that the mother of a child born							
16	out of wedlock is the natural guardian if a father has							
17	not established paternity; providing an effective							
18	date.							
19								
20								
21	Be It Enacted by the Legislature of the State of Florida:							
22								
23	Section 1. Section 742.011, Florida Statutes, is amended							
24	to read:							
25	742.011 <u>Proceedings for</u> determination of paternity,							
Page 1 of 4								
	-							

CODING: Words stricken are deletions; words underlined are additions.

2023

26 rights, and responsibilities proceedings; jurisdiction.-Any 27 woman who is pregnant or has a child, any man who has reason to 28 believe that he is the father of a child, or any child may bring 29 proceedings in the circuit court, in chancery, to determine the 30 paternity of the child when paternity has not been established by law or otherwise. After the birth of the child, a parent may 31 32 request a determination of parental responsibility and child support and for the creation of a parenting plan and time-33 34 sharing schedule pursuant to chapter 61. 35 Section 2. Subsection (5) of section 742.10, Florida 36 Statutes, is amended to read: 742.10 Establishment of paternity for children born out of 37 38 wedlock.-39 (5) Regardless of whether paternity is established in an action under s. 742.011 or this section, the determination of 40 41 parental responsibility and child support and the creation of a 42 parenting plan and time-sharing schedule must be established in 43 an action brought under s. 742.011. Judicial or administrative 44 proceedings are not required or permitted to ratify an 45 unchallenged acknowledgment of paternity. This section may not 46 be construed to prevent the Department of Revenue from establishing child support by an administrative order pursuant 47 48 to s. 409.2563. 49 Section 3. Subsection (1) of section 744.301, Florida Statutes, is amended to read: 50

## Page 2 of 4

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51

744.301 Natural guardians.-

52 The parents jointly are the natural guardians of their (1)53 own children and of their adopted children, during minority, unless the parents' parental rights have been terminated 54 55 pursuant to chapter 39. If a child is the subject of any proceeding under chapter 39, the parents may act as natural 56 57 quardians under this section unless the court division with jurisdiction over guardianship matters finds that it is not in 58 59 the child's best interests. If one parent dies, the surviving parent remains the sole natural guardian even if he or she 60 61 remarries. If the marriage between the parents is dissolved, the natural guardianship belongs to the parent to whom sole parental 62 responsibility has been granted, or if the parents have been 63 64 granted shared parental responsibility, both continue as natural 65 quardians. If the marriage is dissolved and neither parent is 66 given parental responsibility for the child, neither may act as 67 natural guardian of the child. The mother of a child born out of 68 wedlock and a father who has established paternity under s. 69 742.011 or s. 742.10 are the natural guardians of the child and 70 are entitled and subject to the rights and responsibilities of parents. If a father has not established paternity under s. 71 72 742.011 or s. 742.10(1), the mother of a child born out of 73 wedlock is the natural guardian of the child and is entitled to 74 primary residential care and custody of the child unless the court enters an order stating otherwise. 75

## Page 3 of 4

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