

1                   A bill to be entitled  
2           An act relating to child custody; amending s.  
3           61.13, F.S.; providing that no presumption  
4           shall arise in favor of or against a relocation  
5           request when a primary residential parent seeks  
6           to move the child; providing factors for the  
7           court to consider; creating s. 61.121, F.S.;  
8           providing for rotating custody of a child under  
9           certain circumstances; amending s. 61.052,  
10          F.S.; providing for rotating custody during a  
11          period of continuance; providing an effective  
12          date.

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

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16           Section 1. Paragraph (d) is added to subsection (2) of  
17 section 61.13, Florida Statutes, 1996 Supplement, to read:

18           61.13 Custody and support of children; visitation  
19 rights; power of court in making orders.--

20           (2)

21           (d) No presumption shall arise in favor of or against  
22 a request to relocate when a primary residential parent seeks  
23 to move the child and the move will materially affect the  
24 current schedule of contact and access with the secondary  
25 residential parent. In making a determination as to whether  
26 the primary residential parent may relocate with a child, the  
27 court must consider the following factors:

28           1. Whether the move would be likely to improve the  
29 general quality of life for both the residential parent and  
30 the child.

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1           2. The extent to which visitation rights have been  
2 allowed and exercised.

3           3. Whether the primary residential parent, once out of  
4 the jurisdiction, will be likely to comply with any substitute  
5 visitation arrangements.

6           4. Whether the substitute visitation will be adequate  
7 to foster a continuing meaningful relationship between the  
8 child and the secondary residential parent.

9           5. Whether the cost of transportation is financially  
10 affordable by one or both parties.

11           6. Whether the move is in the best interests of the  
12 child.

13           Section 2. Section 61.121, F.S., is created to read:

14           61.121 Rotating custody.--

15           The court may order rotating custody if the court finds  
16 that rotating custody will be in the best interest of the  
17 child.

18           Section 3. Subsection (3) of section 61.052, F.S.,  
19 1996 Supplement, is amended to read:

20           61.052 Dissolution of marriage.--

21           (3) During any period of continuance, the court may  
22 make appropriate orders for the support and alimony of the  
23 parties; the primary residence, custody, rotating custody,  
24 visitation, support, maintenance, and education of the minor  
25 child of the marriage; attorney's fees; and the preservation  
26 of the property of the parties.

27           Section 4. This act shall take effect July 1, 1997.