

Bill No. CS/HB 3301

Amendment No. ____

1 ~~whether they have been married or have resided together at any~~
2 ~~time.~~

3 Section 7. Section 415.602, Florida Statutes, is
4 amended to read:

5 415.602 Definitions of terms used in ss.
6 415.601-415.608.--As used in ss. 415.601-415.608, the term:

7 (1) "Department" means the Department of Children and
8 Family Services.

9 (2) "District" means a service district of the
10 department as created in s. 20.19.

11 (3) "Domestic violence" is defined as in 741.28 ~~means~~
12 ~~any assault, battery, sexual assault, sexual battery, or any~~
13 ~~criminal offense resulting in physical injury or death of one~~
14 ~~family or household member by another who is or was residing~~
15 ~~in the same single dwelling unit.~~

16 (4) "Domestic violence center" means an agency that
17 provides services to victims of domestic violence, as its
18 primary mission.

19 (5) "Family or household member" is defined as in s.
20 741.28 ~~means spouses, former spouses, adults related by blood~~
21 ~~or marriage, persons who are presently residing together as if~~
22 ~~a family or who have resided together in the past as if a~~
23 ~~family, and persons who have a child in common regardless of~~
24 ~~whether they have been married or have resided together at any~~
25 ~~time.~~

26 Section 8. Subsection (2) of section 61.052, Florida
27 Statutes, is amended to read:

28 61.052 Dissolution of marriage.--

29 (2) Based on the evidence at the hearing, which
30 evidence need not be corroborated except to establish that the
31 residence requirements of s. 61.021 are met which may be

Bill No. CS/HB 3301

Amendment No. ____

1 corroborated by a valid Florida driver's license, a Florida
2 voter's registration card, a valid Florida identification card
3 issued under s. 322.051, or the testimony or affidavit of a
4 third party, the court shall dispose of the petition for
5 dissolution of marriage when the petition is based on the
6 allegation that the marriage is irretrievably broken as
7 follows:

8 (a) If there is no minor child of the marriage and if
9 the responding party does not, by answer to the petition for
10 dissolution, deny that the marriage is irretrievably broken,
11 the court shall enter a judgment of dissolution of the
12 marriage if the court finds that the marriage is irretrievably
13 broken.

14 (b) When there is a minor child of the marriage, or
15 when the responding party denies by answer to the petition for
16 dissolution that the marriage is irretrievably broken, the
17 court may:

18 1. Order either or both parties to consult with a
19 marriage counselor, psychologist, psychiatrist, minister,
20 priest, rabbi, or any other person deemed qualified by the
21 court and acceptable to the party or parties ordered to seek
22 consultation; or

23 2. Continue the proceedings for a reasonable length of
24 time not to exceed 3 months, to enable the parties themselves
25 to effect a reconciliation; or

26 3. Take such other action as may be in the best
27 interest of the parties and the minor child of the marriage.

28

29 If, at any time, the court finds that the marriage is
30 irretrievably broken, the court shall enter a judgment of
31 dissolution of the marriage. If the court finds that the

Bill No. CS/HB 3301

Amendment No. ____

1 marriage is not irretrievably broken, it shall deny the
2 petition for dissolution of marriage.

3

4 (Redesignate subsequent sections.)

5

6

7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 On page 2, line 3, after the semicolon

10

11 insert:

12 amending s. 943.171; defining "domestic
13 violence" and "household" as in s. 741.28;
14 amending s. 415.602; defining "domestic
15 violence" and "family or household member" as
16 in s. 741.28; amending s. 61.052; providing an
17 additional photo identification which may be
18 used to corroborate residency to obtain a
19 dissolution of marriage;

20

21

22

23

24

25

26

27

28

29

30

31