

By Senator Holzendorf

2-888-01

1 A bill to be entitled
2 An act relating to dissolution of marriage;
3 amending s. 28.101, F.S.; providing an
4 additional charge when a party petitions for a
5 dissolution of marriage; providing for the
6 disposition of the charge for the payment of a
7 policy of insurance to provide child-support
8 payments when the payor's employment has been
9 involuntarily terminated; providing for
10 selection of insurer by competitive bidding;
11 providing an effective date.

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

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15 Section 1. Paragraph (e) is added to subsection (1) of
16 section 28.101, Florida Statutes; to read:

17 28.101 Petitions and records of dissolution of
18 marriage; additional charges.--

19 (1) When a party petitions for a dissolution of
20 marriage, in addition to the filing charges in s. 28.241, the
21 clerk shall collect and receive:

22 (e) A charge of \$50. Monthly, the clerk shall transfer
23 the moneys collected under this paragraph to the authorized
24 insurer or eligible surplus lines insurer, selected under
25 chapter 287, for the issuance of a policy of insurance to
26 provide child-support payments when the payor's employment has
27 been voluntarily terminated. The \$50 charge may be reduced to
28 the actual premium amount for such policy as determined
29 through the competitive-bidding process in chapter 287.

30 1. The policy required by this paragraph must provide
31 for the payment of child-support amounts due to the child or

1 to the child's parent or legal guardian. Payments must be
2 made, after a reasonable waiting period of no longer than 7
3 days, on behalf of the obligated person when the obligated
4 person has become unemployed by reason of involuntary
5 unemployment. As used in this paragraph, the term "involuntary
6 unemployment" means unemployment due to a strike, lockout,
7 individual or mass layoff, or loss of income due to business
8 failure or bankruptcy. Payments must be equal to the monthly
9 or weekly support payments and must be paid in accordance with
10 the terms of the divorce decree or other order of the court
11 for the term of involuntary unemployment, but payments may not
12 be made for a period of more than 13 weeks. The 13 weeks need
13 not be consecutive; however, this is the maximum number of
14 weeks payable on behalf of the obligated person for the total
15 of all periods of involuntary unemployment.

16 2. In addition to the costs collected for the payment
17 of the insurance premium, the clerk or the judge may collect
18 an additional fee of \$4 to cover the administrative cost of
19 collecting and transmitting the insurance premium.

20 3. The Department of Management Services shall select
21 an insurer or eligible surplus lines insurer to provide the
22 insurance required under this paragraph, and such selection
23 must comply with the provisions of chapter 287. The department
24 shall notify each county clerk of the insurer or surplus lines
25 insurer selected to provide the insurance and the necessary
26 information for transmittal of the moneys collected to pay the
27 premiums for such insurance.

28 4. The clerk shall furnish to such insurer or surplus
29 insurer the name and address of each person ordered to pay
30 child support and each person entitled to receive such
31 payments. The insurer or surplus lines insurer selected shall

1 furnish a certificate of insurance, an explanation of the
2 coverage, and claim-filing instructions to the person entitled
3 to receive the child-support payments.

4 5.The insurer or surplus lines insurer providing the
5 insurance required under this paragraph is responsible for
6 filing any statutorily required notices that child-support
7 payments are being made by an insurer.

8 Section 2. This act shall take effect October 1, 2001.

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11 SENATE SUMMARY

12 Provides an additional charge of \$50 when a party
13 petitions for a dissolution of marriage. The charge is to
14 pay for a policy of insurance to provide child-support
15 payments when the payor's employment has been
16 involuntarily terminated for specified reasons. Provides
17 for the selection of the insurer by competitive bidding.
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