

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

The Committee on Judicial Oversight offered the following:

**Amendment (with title amendment)**

Remove from the bill: Everything after the enacting clause  
and insert in lieu thereof:

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

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

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

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

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

22           2. In addition to the costs collected for the payment  
23 of the insurance premium, the clerk or the judge may collect  
24 an additional fee of \$4 to cover the administrative cost of  
25 collecting and transmitting the insurance premium.

26           3. The Department of Management Services shall select  
27 an insurer or eligible surplus lines insurer to provide the  
28 insurance required under this paragraph, and such selection  
29 must comply with the provisions of chapter 287. The department  
30 shall notify each county clerk of the insurer or surplus lines  
31 insurer selected to provide the insurance and the necessary

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1 information for transmittal of the moneys collected to pay the  
2 premiums for such insurance.

3 4. The clerk shall furnish to such insurer or surplus  
4 insurer the name and address of each person ordered to pay  
5 child support and each person entitled to receive such  
6 payments. The insurer or surplus lines insurer selected shall  
7 furnish a certificate of insurance, an explanation of the  
8 coverage, and claim-filing instructions to the person entitled  
9 to receive the child-support payments.

10 5.The insurer or surplus lines insurer providing the  
11 insurance required under this paragraph is responsible for  
12 notifying the obligor, obligee, the Department of Revenue in  
13 Title IV-D cases, and the local depository in the county which  
14 entered the order that child-support payments are being made  
15 by an insurer.

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

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

20 And the title is amended as follows:

21 remove from the title of the bill: the entire title

22

23 and insert in lieu thereof:

24 A bill to be entitled  
25 An act relating to dissolution of marriage;  
26 amending s. 28.101, F.S.; providing an  
27 additional charge when a party petitions for a  
28 dissolution of marriage; providing for the  
29 disposition of the charge for the payment of a  
30 policy of insurance to provide child-support  
31 payments when the payor's employment has been

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involuntarily terminated; providing for  
selection of insurer by competitive bidding;  
providing an effective date.