

By Representative Clarke

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 involuntary terminated; providing a definition;
10 directing the clerk to keep certain records;
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. On a monthly basis, the clerk
23 shall transfer the moneys collected pursuant to this paragraph
24 to the authorized insurer, or eligible surplus lines insurer,
25 selected pursuant to chapter 287, for the issuance of a policy
26 of insurance to provide child support payments when the
27 payor's employment has been involuntarily terminated. The \$50
28 charge may be reduced to the actual premium amount for such
29 policy as determined through the competitive bidding process
30 and chapter 287.

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1 1. The policy required by this paragraph shall provide
2 for the payment of child support amounts due to the child or
3 the child's legal guardian. Payments shall be made, after a
4 reasonable waiting period, on behalf of the obligated person
5 when the obligated person has become unemployed by reason of
6 involuntary unemployment. "Involuntary unemployment" means
7 unemployment due to strikes, lockouts, individual and mass
8 layoffs, or loss of income due to business failure or
9 bankruptcy. Payments shall be equal to the monthly child
10 support payments as set forth in the divorce decree or other
11 order of the court and shall be payable for the term of
12 involuntary unemployment, but in no event shall payments be
13 made for a period of more than 13 weeks. The 13 weeks do not
14 have to be consecutive; however, this is the maximum number of
15 weeks payable on behalf of the obligated person for the total
16 of all periods of involuntary unemployment. The obligated
17 person must not be delinquent in paying child support payments
18 at the time a claim is made to the insurer for child support
19 payments to be made on behalf of the obligated person under
20 this section. If the obligated person is delinquent in paying
21 child support at the time a claim is made, the insurer shall
22 pay all sums due on behalf of such obligated person to the
23 Child Support Depository Trust Fund.

24 2. The clerk shall maintain a separate record of all
25 insurance costs. In addition to the costs collected for the
26 payment of the insurance premium, the clerk or the judge may
27 collect an additional fee of \$4 to cover the administrative
28 cost of collecting and transmitting the insurance premium.

29 3. For the purposes of this paragraph, the office of
30 the clerk of court shall be an agency as defined in s.
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1 287.012. The selection of the insurer shall be made pursuant
2 to the provisions of chapter 287.

3 Section 2. This act shall take effect July 1, 2001.
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6 HOUSE SUMMARY

7 Provides an additional charge of \$50 with respect to a
8 petition of dissolution of marriage. Provides that the
9 charge shall be used to purchase an insurance policy to
10 provide child support payments when the payor's
11 employment has been involuntarily terminated. See bill
12 for details.
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