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2 An act relating to the equitable distribution  
3 of marital assets and liabilities; amending s.  
4 61.075, F.S.; providing that a liability  
5 incurred by forgery or unauthorized signature  
6 is a nonmarital liability; providing for  
7 attorney's fees and costs; providing an  
8 exception; providing an effective date.

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

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12 Section 1. Paragraph (b) of subsection (5) of section  
13 61.075, Florida Statutes, is amended to read:

14 61.075 Equitable distribution of marital assets and  
15 liabilities.--

16 (5) As used in this section:

17 (b) "Nonmarital assets and liabilities" include:

18 1. Assets acquired and liabilities incurred by either  
19 party prior to the marriage, and assets acquired and  
20 liabilities incurred in exchange for such assets and  
21 liabilities;

22 2. Assets acquired separately by either party by  
23 noninterspousal gift, bequest, devise, or descent, and assets  
24 acquired in exchange for such assets;

25 3. All income derived from nonmarital assets during  
26 the marriage unless the income was treated, used, or relied  
27 upon by the parties as a marital asset; ~~and~~

28 4. Assets and liabilities excluded from marital assets  
29 and liabilities by valid written agreement of the parties, and  
30 assets acquired and liabilities incurred in exchange for such  
31 assets and liabilities; and-

1           5. Any liability incurred by forgery or unauthorized  
2 signature of one spouse signing the name of the other spouse.  
3 Any such liability shall be a nonmarital liability only of the  
4 party having committed the forgery or having affixed the  
5 unauthorized signature. In determining an award of attorney's  
6 fees and costs pursuant to s. 61.16, the court may consider  
7 forgery or an unauthorized signature by a party and may make a  
8 separate award for attorney's fees and costs occasioned by the  
9 forgery or unauthorized signature. This subparagraph does not  
10 apply to any forged or unauthorized signature that was  
11 subsequently ratified by the other spouse.

12           Section 2. This act shall take effect July 1, 2002.