

Bill No. CS for SB 1312

Amendment No. 2 Barcode 774006

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	The Committee on Children and Families recommended the		
12	following amendment:		
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14	<b>Senate Amendment (with title amendment)</b>		
15	On page 41, between lines 16 and 17,		
16			
17	insert:		
18	Section 5. Subsection(6) of Section 63.087, Florida		
19	Statutes, is amended to read:		
20	63.087 Proceeding to terminate parental rights pending		
21	adoption; general provisions.--		
22	(6) PETITION.--		
23	(a) A proceeding seeking to terminate parental rights		
24	pending adoption pursuant to this chapter must be initiated by		
25	the filing of an original petition after the birth of the		
26	minor.		
27	(b) The petition may be filed by a parent or person		
28	having legal custody of the minor. The petition may be filed		
29	by an adoption entity only if a parent or person having legal		
30	custody who has executed a consent to adoption pursuant to s.		
31	63.082 consents in writing to the entity filing the petition.		

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1 The original of such consent must be filed with the petition.

2 (c) The petition must be entitled: "In the Matter of  
3 the Termination of Parental Rights for the Proposed Adoption  
4 of a Minor Child."

5 (d) A petition to terminate parental rights must be  
6 consolidated with a previously filed petition for a  
7 declaratory statement filed under s. 63.102. Only one filing  
8 fee may be assessed for both the termination of parental  
9 rights and declaratory statement petitions.

10 (e) The petition to terminate parental rights pending  
11 adoption must be in writing and signed by the petitioner under  
12 oath stating the petitioner's good faith in filing the  
13 petition. A written consent to adoption, affidavit of  
14 nonpaternity, or affidavit of diligent search under s. 63.088,  
15 for each person whose consent to adoption is required under s.  
16 63.062, must be executed and attached.

17 (f) The petition must include:

18 1. The minor's name, gender, date of birth, and place  
19 of birth. The petition must contain all names by which the  
20 minor is or has been known, excluding the minor's prospective  
21 adoptive name but including the minor's legal name at the time  
22 of the filing of the petition, to allow interested parties to  
23 the action, including parents, persons having legal custody of  
24 the minor, persons with custodial or visitation rights to the  
25 minor, and persons entitled to notice pursuant to the Uniform  
26 Child Custody Jurisdiction and Enforcement Act or the Indian  
27 Child Welfare Act, to identify their own interest in the  
28 action.

29 2. If the petition is filed before the day the minor  
30 is 6 months old and if the identity or location of the father  
31 is unknown, each city in which the mother resided or traveled,

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1 in which conception may have occurred, during the 12 months  
2 before the minor's birth, including the county and state in  
3 which that city is located.

4 3. Unless a consent to adoption or affidavit of  
5 nonpaternity executed by each person whose consent is required  
6 under s. 63.062 is attached to the petition, the name and the  
7 city of residence, including the county and state in which  
8 that city is located, of:

9 a. The minor's mother;

10 b. Any man who the mother reasonably believes may be  
11 the minor's father; and

12 c. Any person who has legal custody, as defined in s.  
13 39.01, of the minor.

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15 If a required name or address is not known, the petition must  
16 so state.

17 4. All information required by the Uniform Child  
18 Custody Jurisdiction and Enforcement Act and the Indian Child  
19 Welfare Act.

20 5. A statement of the grounds under s. 63.089 upon  
21 which the petition is based.

22 6. The name, address, and telephone number of any  
23 adoption entity seeking to place the minor for adoption.

24 7. The name, address, and telephone number of the  
25 division of the circuit court in which the petition is to be  
26 filed.

27 8. A certification of compliance with the requirements  
28 of s. 63.0425 regarding notice to grandparents of an impending  
29 adoption.

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31 (Redesignate subsequent sections.)

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1 ===== T I T L E A M E N D M E N T =====  
2 And the title is amended as follows:  
3           On page 3, line 9, after "39.502"  
4  
5 insert:  
6           , 63.087  
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