

hbd-22

Bill No. CS/HB 549, 1st Eng.

Amendment No. ____ (TECHNICAL AMENDMENT)

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

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The Procedural & Redistricting Council offered the following:

Technical Amendment

On page 3, line 12,

remove: providing severability;

On page 3, between lines 27 & 28,

insert: 39.502 Notice, process, and service.--

On page 5, between lines 28 & 29,

insert:

2. The court shall order that the parental responsibility for a minor child be shared by both parents unless the court finds that shared parental responsibility would be detrimental to the child. Evidence that a parent has been convicted of a felony of the third degree or higher involving domestic violence, as defined in s. 741.28 and chapter 775, or meets the criteria of s. 39.806(1)(d), creates

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1 a rebuttable presumption of detriment to the child. If the
2 presumption is not rebutted, shared parental responsibility,
3 including visitation, residence of the child, and decisions
4 made regarding the child, may not be granted to the convicted
5 parent. However, the convicted parent is not relieved of any
6 obligation to provide financial support. If the court
7 determines that shared parental responsibility would be
8 detrimental to the child, it may order sole parental
9 responsibility and make such arrangements for visitation as
10 will best protect the child or abused spouse from further
11 harm. Whether or not there is a conviction of any offense of
12 domestic violence or child abuse or the existence of an
13 injunction for protection against domestic violence, the court
14 shall consider evidence of domestic violence or child abuse as
15 evidence of detriment to the child.

16 a. In ordering shared parental responsibility, the
17 court may consider the expressed desires of the parents and
18 may grant to one party the ultimate responsibility over
19 specific aspects of the child's welfare or may divide those
20 responsibilities between the parties based on the best
21 interests of the child. Areas of responsibility may include
22 primary residence, education, medical and dental care, and any
23 other responsibilities that the court finds unique to a
24 particular family.

25 b. The court shall order "sole parental
26 responsibility, with or without visitation rights, to the
27 other parent when it is in the best interests of" the minor
28 child.

29 c. The court may award the grandparents visitation
30 rights with a minor child if it is in the child's best
31 interest. Grandparents have legal standing to seek judicial

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1 enforcement of such an award. This section does not require
2 that grandparents be made parties or given notice of
3 dissolution pleadings or proceedings, nor do grandparents have
4 legal standing as "contestants" as defined in s. 61.1306. A
5 court may not order that a child be kept within the state or
6 jurisdiction of the court solely for the purpose of permitting
7 visitation by the grandparents.

8 3. Access to records and information pertaining to a
9 minor child, including, but not limited to, medical, dental,
10 and school records, may not be denied to a parent because the
11 parent is not the child's primary residential parent. Full
12 rights under this subparagraph apply to either parent unless a
13 court order specifically revokes these rights, including any
14 restrictions on these rights as provided in a domestic
15 violence injunction. A parent having rights under this
16 subparagraph has the same rights upon request as to form,
17 substance, and manner of access as are available to the other
18 parent of a child, including, without limitation, the right to
19 in-person communication with medical, dental, and education
20 providers.

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22 On page 8, line 19,

23 remove: (b) or (c)

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25 and insert: paragraph (1)(b) or paragraph (1)(c),

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27 On page 10, line 13,

28 remove: subparagraph

29

30 and insert: subsection

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1 On page 10, line 15,
2 remove: , F.S
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4 On page 10, line 16, after(7)
5
6 insert: (a)
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8 On page 10, line 19,
9 remove: (a)
10
11 and insert: 1.
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13 On page 10, line 22,
14 remove: (b)
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16 and insert: 2.
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18 On page 10, line 24,
19 remove: (c)
20
21 and insert: 3.
22
23 On page 10, line 26,
24 remove: (d)
25
26 and insert: (b)
27
28 On page 38, line 26,
29 remove: 61.524-61.640
30
31 and insert: 61.524-61.540