

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

1 Representative(s) Stargel offered the following:

2
3 **Amendment (with title amendment)**

4 Remove line(s) 322-337 and insert:

5 1. To orders entered before October 1, 2006, if the
6 existing order defining custody, primary residence, or
7 visitation of or with the child does not expressly govern the
8 relocation of the child.

9 2. To an order, whether temporary or permanent, regarding
10 the custody, primary residence, or visitation of or with the
11 child entered on or after October 1, 2006.

12 3. To any relocation or proposed relocation, whether
13 permanent or temporary, of a child during any proceeding pending
14 on October 1, 2006, wherein the custody, primary residence, or
15 visitation of or with the child is an issue.

16 (b) To the extent that a provision of this section
17 conflicts with an order existing on October 1, 2006, this

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18 section does not apply to the terms of that order which
19 expressly govern relocation of the child or a change in the
20 principal residence address of a parent.

21 Section 3. Paragraph (b) of subsection (1) of section
22 28.241, Florida Statutes, is amended to read:

23 28.241 Filing fees for trial and appellate proceedings.--

24 (1)

25 (b) A party reopening any civil action, suit, or
26 proceeding in the circuit court shall pay to the clerk of court
27 a filing fee set by the clerk in an amount not to exceed \$50.
28 For purposes of this section, a case is reopened when a case
29 previously reported as disposed of is resubmitted to a court and
30 includes petitions for modification of a final judgment of
31 dissolution. A party is exempt from paying the fee for any of
32 the following:

33 1. A writ of garnishment;

34 2. A writ of replevin;

35 3. A distress writ;

36 4. A writ of attachment;

37 5. A motion for rehearing filed within 10 days;

38 6. A motion for attorney's fees filed within 30 days after
39 entry of a judgment or final order;

40 7. A motion for dismissal filed after a mediation
41 agreement has been filed;

42 8. A disposition of personal property without
43 administration;

44 9. Any probate case prior to the discharge of a personal
45 representative;

46 10. Any guardianship pleading prior to discharge;

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- 47 11. Any mental health pleading;
 - 48 12. Motions to withdraw by attorneys;
 - 49 13. Motions exclusively for the enforcement of child
 - 50 support orders;
 - 51 14. A petition for credit of child support;
 - 52 15. A Notice of Intent to Relocate and any order issuing
 - 53 as a result of an uncontested relocation;
 - 54 ~~16.15.~~ Stipulations;
 - 55 ~~17.16.~~ Responsive pleadings; or
 - 56 ~~18.17.~~ Cases in which there is no initial filing fee.
- 57 Section 4. This act shall take effect October 1, 2006.

58

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

60 Between line(s) 25 and 26, insert:

61 amending s. 28.241, F.S.; providing that the filing of

62 certain notices and orders regarding an uncontested

63 relocation are exempt from filing fees;