

Bill No. SB 122

Barcode 233554

CHAMBER ACTION

Senate

House

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Comm: RCS  
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The Committee on Judiciary (Baker) recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Section 61.13002, Florida Statutes, is created to read:

61.13002 Child custody modification.--

(1) If a supplemental petition to modify or a motion for change of child custody and parental responsibility is filed during the time a parent is activated, deployed, or temporarily assigned to military service and the parent's ability to continue as the primary caretaker of a minor child is materially affected as a result, the court may not issue an order or modify or amend a previous judgment or order that changes custody as it existed on the date the parent was activated, deployed, or temporarily assigned to military service, except that a court may enter a temporary order to modify or amend custody if there is clear and convincing

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1 evidence that the temporary modification or amendment is in  
 2 the best interests of the child. When entering a temporary  
 3 order under this section, the court shall consider and provide  
 4 for, if feasible, contact between the military service member  
 5 and his or her child, including, but not limited to,  
 6 electronic communication by webcam, telephone, or other  
 7 available means. The court shall also permit liberal  
 8 time-sharing during periods of leave from military service, as  
 9 it is in the child's best interests to maintain the  
 10 parent-child bond during the parent's military service.

11 (2) If a temporary order is issued under this section,  
 12 the court shall reinstate the custody judgment or order  
 13 previously in effect upon the parent's return from active  
 14 military service, deployment, or temporary assignment.

15 (3) This section does not apply to permanent change of  
 16 station moves by military personnel, which shall be governed  
 17 by s. 61.13001.

18 Section 2. This act shall take effect July 1, 2007.

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

22 And the title is amended as follows:

23 Delete everything before the enacting clause

24  
 25 and insert:

26 A bill to be entitled  
 27 An act relating to child custody; creating s.  
 28 61.13002, F.S.; prohibiting a court from  
 29 modifying child custody during the time a  
 30 parent is activated, deployed, or temporarily  
 31 assigned to military service; providing a

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1           limited exception; requiring reinstatement upon  
2           parent's return from military service; limiting  
3           application of the prohibition; providing an  
4           effective date.  
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