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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/8/2008	.	
	.	
	.	

1 The Committee on Health and Human Services Appropriations (Gaetz)
2 recommended the following **amendment**:

3
4 **Senate Amendment (with directory clause amendment)**

5 Between lines 153 and 154,
6 insert:

7 (e) Abandons the child. Within the context of the
8 definition of "harm," the term "abandoned the child" or
9 "abandonment of the child" means a situation in which the parent
10 or legal custodian of a child or, in the absence of a parent or
11 legal custodian, the caregiver, while being able, makes no
12 provision for the child's support and has failed to establish or
13 maintain a substantial and positive relationship with the child.
14 For purposes of this paragraph, "establish or maintain a
15 substantial and positive relationship" includes, but is not
16 limited to, frequent and regular contact with the child through
17 frequent and regular visitation or frequent and regular



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18 communication to or with the child, and the exercise of parental
19 rights and responsibilities. Marginal efforts and incidental or
20 token visits or communications are not sufficient to establish or
21 maintain a substantial and positive relationship with a child.
22 ~~"abandons the child" means that the parent or legal custodian of~~
23 ~~a child or, in the absence of a parent or legal custodian, the~~
24 ~~person responsible for the child's welfare, while being able,~~
25 ~~makes no provision for the child's support and makes no effort to~~
26 ~~communicate with the child, which situation is sufficient to~~
27 ~~evince a willful rejection of parental obligation. If the efforts~~
28 ~~of the parent or legal custodian or person primarily responsible~~
29 ~~for the child's welfare to support and communicate with the child~~
30 ~~are only marginal efforts that do not evince a settled purpose to~~
31 ~~assume all parental duties, the child may be determined to have~~
32 ~~been abandoned. The term "abandoned" does not include an~~
33 ~~abandoned newborn infant as described in s. 383.50.~~

34
35 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

36 And the directory clause is amended as follows:

37
38 Delete line 112

39 and insert:

40 Section 1. Subsection (1), paragraphs (e) and (g) of
41 present