



130592

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/1/2008	.	
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	.	

1 The Committee on Children, Families, and Elder Affairs (Lynn)
 2 recommended the following **amendment**:

Senate Amendment (with title amendment)

Delete line(s) 1119-1136

and insert:

Section 10. Section 61.13002, Florida Statutes, is amended to read:

61.13002 Temporary time-sharing modification ~~child custody~~
and child support modification due to military service.--

(1) If a supplemental petition ~~to modify~~ or a motion for ~~change of child custody~~ modification of time-sharing and parental responsibility is filed ~~during the time~~ because 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~~ comply with time-sharing is materially affected as a result, the court may not issue an order or modify or amend a



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18 previous judgment or order that changes ~~custody~~ time-sharing as
19 it existed on the date the parent was activated, deployed, or
20 temporarily assigned to military service, except that a court may
21 enter a temporary order to modify or amend ~~custody~~ time-sharing
22 if there is clear and convincing evidence that the temporary
23 modification or amendment is in the best interests of the child.
24 When entering a temporary order under this section, the court
25 shall consider and provide for, if feasible, contact between the
26 military ~~servicemember~~ service member and his or her child,
27 including, but not limited to, electronic communication by
28 webcam, telephone, or other available means. The court shall also
29 permit liberal time-sharing during periods of leave from military
30 service, as it is in the child's best interests to maintain the
31 parent-child bond during the parent's military service.

32 (2) If a temporary order is issued under this section, the
33 court shall reinstate the ~~custody judgment or~~ time-sharing order
34 previously in effect upon the service member parent's return from
35 active military service, deployment, or temporary assignment.

36 (3) If a temporary order is entered under this section, the
37 court may address the issue of support for the child for whom
38 time-sharing is temporarily modified by:

39 (a) Entering an order of temporary support from the service
40 member to the other parent under s. 61.30;

41 (b) Requiring the service member to enroll the child as a
42 military dependant with DEERs, TriCare, or other similar benefits
43 available to military dependents as provided by the service
44 member's branch of service and federal regulations; or

45 (c) Suspending, abating, or reducing the child support
46 obligation of the non-service member until the custody judgment
47 or time-share order previously in effect is reinstated.



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~~(3)~~ (4) This section does not apply to permanent change of station moves by military personnel, which shall be governed by s. 61.13001.

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

And the title is amended as follows:

Delete line(s) 19-22
and insert:

obsolete definitions; amending s. 61.13002, F.S.;
providing for orders of temporary support for children
whose time-sharing is temporarily modified due to a
parent's military service; conforming provisions to
changes in terminology; amending ss. 61.14, 61.181, and
61.1827,