

HB 1413

2010

1 A bill to be entitled
 2 An act relating to premarital preparation; amending s.
 3 741.0306, F.S.; providing for the creation and revision of
 4 the Florida Marriage Handbook; creating the Marriage
 5 Education Committee; providing for membership on the
 6 committee; specifying the content for Parts A and B of the
 7 handbook; requiring the committee to be reconstituted once
 8 every 10 years for the purpose of reviewing and updating
 9 the content in the handbook; requiring the committee to
 10 submit a report to the Legislature by a specified date;
 11 providing an effective date.

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 13 Be It Enacted by the Legislature of the State of Florida:

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 15 Section 1. Section 741.0306, Florida Statutes, is amended
 16 to read:

17 741.0306 Creation and revisions of the Florida Marriage
 18 Handbook ~~a family law handbook~~.

19 (1) The Marriage Education Committee and ~~Based upon their~~
 20 ~~willingness to undertake this project, there shall be created by~~
 21 the Family Law Section of The Florida Bar shall create the
 22 Florida Marriage a Handbook. Part A of the handbook shall
 23 provide resources, information, and skills to help couples have
 24 a healthy and successful marriage. Part B of the handbook shall
 25 explain ~~explaining~~ those sections of Florida law pertaining to
 26 the rights and responsibilities under Florida law of marital
 27 partners to each other and to their children, both during a
 28 marriage and upon dissolution. The material in Part B of the

29 handbook or other suitable electronic media shall be reviewed
 30 for accuracy by the Family Court Steering Committee of the
 31 Florida Supreme Court before ~~prior to~~ publication and
 32 distribution.

33 (2) The Marriage Education Committee shall consist of six
 34 marriage education and family advocates, two of whom shall be
 35 appointed by the Governor, two of whom shall be appointed by the
 36 President of the Senate, and two of whom shall be appointed by
 37 the Speaker of the House of Representatives. The committee shall
 38 be appointed upon the act becoming a law and shall be
 39 reconstituted once every 10 years for the purpose of reviewing
 40 and updating the content in Part A of the handbook. The
 41 appointed members shall be appointed to a 1-year term or until
 42 completion of the review process. The committee shall be placed
 43 with the Department of Children and Family Services for
 44 administrative purposes only.

45 (3) ~~(2)~~ The handbook must ~~Such handbooks shall~~ be available
 46 from the clerk of the circuit court upon application for a
 47 marriage license. The clerks may also make the information in
 48 the handbook available on videotape or other electronic media
 49 and are encouraged to provide a list of course providers and
 50 sites at which marriage and relationship skill-building classes
 51 are available.

52 (4) The Marriage Education Committee shall provide the
 53 information contained in Part A of the handbook and shall review
 54 and update the information once every 10 years. The content of
 55 Part A may include, but need not be limited to:

56 (a) Resources dealing with conflict resolution,

57 communication skills, family expectations, financial
58 responsibilities and management, and children and parenting
59 responsibilities.

60 (b) Current information from marriage education and family
61 advocates which is intended to assist couples in forming and
62 maintaining a long-term marital relationship.

63 (c) Information regarding premarital education, marriage
64 enrichment education, and resources that are available to help
65 restore a marriage that is potentially moving toward
66 dissolution.

67 (d) Contact information and website links to additional
68 resources and local professional and community services to
69 further assist couples.

70 (5) ~~(3)~~ The information contained in Part B of the handbook
71 or other electronic media presentation shall be provided by the
72 Family Law Section of The Florida Bar and may be reviewed and
73 updated annually, and may include, but need not be limited to:

74 (a) Prenuptial agreements; as a contract and as an
75 opportunity to structure financial arrangements and other
76 aspects of the marital relationship.

77 (b) Shared parental responsibility for children and the
78 determination of a parenting plan, including a time-sharing
79 schedule.

80 (c) Permanent relocation restrictions.

81 (d) Child support for minor children; both parents are
82 obligated for support in accordance with the applicable child
83 support guidelines schedule.

84 (e) Property rights, including equitable distribution,

85 premarital property, and nonmarital property.

86 (f) Alimony, including temporary, permanent
87 rehabilitative, and lump sum.

88 (g) Domestic violence and child abuse and neglect,
89 including penalties and other ramifications of false reporting.

90 (h) Court process for dissolution with or without legal
91 assistance, including who may attend, the recording of
92 proceedings, how to access those records, and the cost of such
93 access.

94 (i) Parent education course requirements for divorcing
95 parents with children.

96 (j) Community resources that are available for separating
97 or divorcing persons and their children.

98 (k) Women's rights specified in the Battered Women's Bill
99 of Rights.

100 ~~(6)-(4)~~ The material contained in the ~~such a~~ handbook may
101 also be provided through videotape or other suitable electronic
102 media. The information contained in Part B of the handbook or
103 other electronic media presentation shall be reviewed and
104 updated annually.

105 ~~(7)-(5)~~ The Florida Marriage ~~existing family law~~ Handbook
106 shall be reviewed and a report provided to the Legislature every
107 10 years ~~by October 1, 2008~~, or as soon thereafter as
108 practicable, with explanations about changes made to the
109 handbook and recommendations for further updating the handbook.

110 Section 2. This act shall take effect July 1, 2010.