

1 A bill to be entitled
 2 An act relating to support obligations; amending s.
 3 61.046, F.S.; providing that child support shall be deemed
 4 as held in trust for the children for whom such support is
 5 intended and is not considered property of the recipient;
 6 amending s. 222.201, F.S.; providing that alimony,
 7 support, or separate maintenance already received is
 8 eligible for exemption by an individual debtor under the
 9 Bankruptcy Reform Act of 1978; providing an effective
 10 date.

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

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 14 Section 1. Subsection (22) of section 61.046, Florida
 15 Statutes, is amended to read:

16 61.046 Definitions.—As used in this chapter, the term:

17 (22) "Support," unless otherwise specified, means:

18 (a) Child support and, when the child support obligation
 19 is being enforced by the Department of Revenue, spousal support
 20 or alimony for the spouse or former spouse of the obligor with
 21 whom the child is living.

22 (b) Child support only in cases not being enforced by the
 23 Department of Revenue.

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 25 Child support shall be deemed held in trust for the children for
 26 whom such support is intended and is not the property of the
 27 recipient.

28 Section 2. Subsection (1) of section 222.201, Florida

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29 Statutes, is amended to read:

30 222.201 Availability of federal bankruptcy exemptions.—

31 (1) Notwithstanding s. 222.20, an individual debtor under
32 the federal Bankruptcy Reform Act of 1978 may exempt, in
33 addition to any other exemptions allowed under state law:~~7~~

34 (a) Any property listed in subsection (d)(10) of s. 522 of
35 that act.

36 (b) With respect to s. 522(d)(10)(D) of that act, alimony,
37 support, or separate maintenance that has already been received,
38 to the extent reasonably necessary for the support of the debtor
39 or any dependent of the debtor.

40 Section 3. This act shall take effect July 1, 2010.