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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2010	.	
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The Committee on Judiciary (Fasano) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

741.0306 Creation of and revisions to the Florida Marriage
~~a family law~~ Handbook.-

(1) For the purposes of this section, the term "marriage
education and family advocate" means an individual who meets the
criteria to be a premarital preparation course provider as
defined in s. 741.0305, or an individual who is certified in a



889068

14 marriage education curriculum and who has been providing
15 marriage education services for at least 4 years.

16 (2) The Marriage Education Committee and ~~Based upon their~~
17 ~~willingness to undertake this project, there shall be created by~~
18 the Family Law Section of The Florida Bar shall create the
19 Florida Marriage a Handbook. Part A of the handbook shall
20 provide resources, information, and skills to help couples have
21 a healthy and successful marriage. Part B of the handbook shall
22 explain ~~explaining~~ those sections of Florida law pertaining to
23 the rights and responsibilities under Florida law of marital
24 partners to each other and to their children, both during a
25 marriage and upon dissolution. The material in Part B of the
26 handbook or other suitable electronic media shall be reviewed
27 for accuracy by the Family Court Steering Committee of the
28 Florida Supreme Court before ~~prior to~~ publication and
29 distribution.

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

42 (4) ~~(2)~~ Such handbooks shall be available from the clerk of



889068

43 the circuit court upon application for a marriage license. The
44 clerks may also make the information in the handbook available
45 on videotape or other electronic media and are encouraged to
46 provide a list of course providers and sites at which marriage
47 and relationship skill-building classes are available.

48 (5) The Marriage Education Committee shall provide the
49 information contained in Part A of the handbook and shall review
50 and update the information once every 10 years. The content of
51 Part A may include, but need not be limited to:

52 (a) Resources dealing with conflict resolution,
53 communication skills, family expectations, financial
54 responsibilities and management, and children and parenting
55 responsibilities.

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

59 (c) Information regarding premarital education, marriage
60 enrichment education, and resources that are available to help
61 restore a marriage that is potentially moving toward
62 dissolution.

63 (d) Contact information and website links to additional
64 resources and local professional and community services to
65 further assist couples.

66 (6)-(3) The information contained in Part B of the handbook
67 or other electronic media presentation shall be provided by the
68 Family Law Section of The Florida Bar and may be reviewed and
69 updated annually, and may include, but need not be limited to:

70 (a) Prenuptial agreements; as a contract and as an
71 opportunity to structure financial arrangements and other



889068

72 aspects of the marital relationship.

73 (b) Shared parental responsibility for children and the
74 determination of a parenting plan, including a time-sharing
75 schedule.

76 (c) Permanent relocation restrictions.

77 (d) Child support for minor children; both parents are
78 obligated for support in accordance with the applicable child
79 support guidelines schedule.

80 (e) Property rights, including equitable distribution,
81 premarital property, and nonmarital property.

82 (f) Alimony, including temporary, permanent rehabilitative,
83 and lump sum.

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

86 (h) Court process for dissolution with or without legal
87 assistance, including who may attend, the recording of
88 proceedings, how to access those records, and the cost of such
89 access.

90 (i) Parent education course requirements for divorcing
91 parents with children.

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

94 (k) Women's rights specified in the Battered Women's Bill
95 of Rights.

96 (7)-(4) The material contained in the ~~such a~~ handbook may
97 also be provided through videotape or other suitable electronic
98 media. The information contained in Part B of the handbook or
99 other electronic media presentation shall be reviewed and
100 updated annually.



889068

101 (8)-(5) The Florida Marriage existing family law Handbook
102 shall be reviewed and a report provided to the Legislature every
103 10 years in by October 1, 2008, or as soon thereafter as
104 practicable, with explanations about changes made to the
105 handbook and recommendations for further updating the handbook.

106 (9) The Legislative report on Part A shall be provided by
107 the Marriage Education Committee and the report on Part B shall
108 be provided by the Family Law Section of the Florida Bar.

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

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

112 And the title is amended as follows:

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114 Delete everything before the enacting clause
115 and insert:

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A bill to be entitled

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An act relating to premarital preparation; amending s.

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741.0306, F.S.; defining the term "marriage education

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and family advocate"; providing for the creation and

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revision of the Florida Marriage Handbook; creating

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the Marriage Education Committee; providing for

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membership on the committee; specifying the content

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and authors for Parts A and B of the handbook;

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requiring the committee to be reconstituted once every

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10 years for the purpose of reviewing and updating the

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content in the handbook; requiring the committee to

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submit a report to the Legislature by a specified

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date; providing an effective date.