

By the Committee on Judiciary; and Senator Storms

590-03230-10

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

14
 15 Be It Enacted by the Legislature of the State of Florida:

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

19 741.0306 Creation of, and revisions to, the Florida
 20 Marriage a family law Handbook.-

21 (1) For the purposes of this section, the term "marriage
 22 education and family advocate" means an individual who meets the
 23 criteria to be a premarital preparation course provider, as
 24 defined in s. 741.0305, or an individual who is certified in a
 25 marriage education curriculum and who has been providing
 26 marriage education services for at least 4 years.

27 (2) The Marriage Education Committee and ~~Based upon their~~
 28 ~~willingness to undertake this project, there shall be created by~~
 29 the Family Law Section of The Florida Bar shall create the

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30 Florida Marriage a Handbook. Part A of the handbook shall
31 provide resources, information, and skills to help couples have
32 a healthy and successful marriage. Part B of the handbook shall
33 explain ~~explaining~~ those sections of Florida law pertaining to
34 the rights and responsibilities under Florida law of marital
35 partners to each other and to their children, both during a
36 marriage and upon dissolution. The material in Part B of the
37 handbook or other suitable electronic media shall be reviewed
38 for accuracy by the Family Court Steering Committee of the
39 Florida Supreme Court before ~~prior to~~ publication and
40 distribution.

41 (3) The Marriage Education Committee shall consist of seven
42 marriage education and family advocates, three of whom shall be
43 appointed by the Governor, two of whom shall be appointed by the
44 President of the Senate, and two of whom shall be appointed by
45 the Speaker of the House of Representatives. The committee shall
46 be appointed July 1, 2010, and shall be reconstituted once every
47 10 years for the purpose of reviewing and updating the content
48 in Part A of the handbook. The appointed members shall be
49 appointed to a 1-year term or until completion of the review
50 process. The committee shall be placed within the Department of
51 Children and Family Services for administrative purposes only.

52 (4) ~~(2)~~ Such handbooks shall be available from the clerk of
53 the circuit court upon application for a marriage license. The
54 clerks may also make the information in the handbook available
55 on videotape or other electronic media and are encouraged to
56 provide a list of course providers and sites at which marriage
57 and relationship skill-building classes are available.

58 (5) The Marriage Education Committee shall provide the

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59 information contained in Part A of the handbook and shall review
60 and update the information once every 10 years. The content of
61 Part A may include, but need not be limited to:

62 (a) Resources dealing with conflict resolution,
63 communication skills, family expectations, financial
64 responsibilities and management, and children and parenting
65 responsibilities.

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

69 (c) Information regarding premarital education, marriage
70 enrichment education, and resources that are available to help
71 restore a marriage that is potentially moving toward
72 dissolution.

73 (d) Contact information and website links to additional
74 resources and local professional and community services to
75 further assist couples.

76 (6)(3) The information contained in Part B of the handbook
77 or other electronic media presentation shall be provided by the
78 Family Law Section of The Florida Bar and may be reviewed and
79 updated annually, and may include, but need not be limited to:

80 (a) Prenuptial agreements; as a contract and as an
81 opportunity to structure financial arrangements and other
82 aspects of the marital relationship.

83 (b) Shared parental responsibility for children and the
84 determination of a parenting plan, including a time-sharing
85 schedule.

86 (c) Permanent relocation restrictions.

87 (d) Child support for minor children; both parents are

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88 obligated for support in accordance with the applicable child
89 support guidelines schedule.

90 (e) Property rights, including equitable distribution,
91 premarital property, and nonmarital property.

92 (f) Alimony, including temporary, permanent rehabilitative,
93 and lump sum.

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

96 (h) Court process for dissolution with or without legal
97 assistance, including who may attend, the recording of
98 proceedings, how to access those records, and the cost of such
99 access.

100 (i) Parent education course requirements for divorcing
101 parents with children.

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

104 (k) Women's rights specified in the Battered Women's Bill
105 of Rights.

106 (7)~~(4)~~ The material contained in the ~~such a~~ handbook may
107 also be provided through videotape or other suitable electronic
108 media. The information contained in Part B of the handbook or
109 other electronic media presentation shall be reviewed and
110 updated annually.

111 (8)~~(5)~~ The Florida Marriage existing family law Handbook
112 shall be reviewed and a report provided to the Legislature every
113 10 years in ~~by~~ October ~~1, 2008~~, or as soon thereafter as
114 practicable, with explanations about changes made to the
115 handbook and recommendations for further updating the handbook.

116 (9) The Legislative report on Part A shall be provided by

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117 the Marriage Education Committee and the report on Part B shall
118 be provided by the Family Law Section of The Florida Bar.

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