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LEGISLATIVE ACTION

Senate

House

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Floor: 5/AD/2R

04/21/2010 05:31 PM

Senator Storms moved the following:

Senate Amendment

Delete lines 1282 - 1303

and insert:

(b) If the department's review of a support order entered by the circuit court indicates that the order should be modified, the department, through counsel, shall file a petition to modify the order with the court. Along with the petition, the department shall file a child support guideline worksheet, any financial affidavits or written declarations, pursuant to s. 61.30(15), received from the parties or completed by the department as part of the support order review, a proposed modified order that includes findings as to the source and



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14 amount of income, and a notice that informs the parties of the
15 requirement to file an objection or a request for hearing with
16 the court if the party wants a court hearing on the petition to
17 modify. A copy of the petition, proposed order, and other
18 documents shall be served by regular mail on a party who
19 requested the support order review. A party that did not request
20 the support order review shall be served personally in any
21 manner authorized under chapter 48.

22 (c) To obtain a court hearing on a petition to modify a
23 support order, a party who is served by regular mail must file
24 an objection to the proposed order or a request for hearing with
25 the court within 30 days after the date on which the petition,
26 proposed order, and other documents were mailed. If a party is
27 served personally, to obtain a court hearing on a petition to
28 modify the party must file an objection to the proposed order or
29 a request for hearing with the court within 30 days after the
30 date of receipt of the petition, proposed order, and other
31 documents.

32 (d) If a timely objection or request for hearing is not
33 filed with the court, the court may modify the support order
34 without a hearing in accordance with the terms of the proposed
35 order.

36 (e) If a support order does not provide for payment of
37 noncovered medical expenses or require health insurance for the
38 minor child and health insurance is accessible to the child and
39 available at a reasonable cost, the department shall seek to
40 have the order modified and any modification shall be made
41 without a requirement for proof or showing of a change in
42 circumstances.