

1 A bill to be entitled
2 An act relating to the Uniform Interstate Family Support
3 Act; amending s. 88.1011, F.S.; revising and providing
4 definitions; amending s. 88.1021, F.S.; designating the
5 Department of Revenue as the support enforcement agency of
6 this state; amending s. 88.1031, F.S.; revising provisions
7 relating to remedies provided by the act; creating s.
8 88.1041, F.S.; providing for applicability of provisions
9 to residents of foreign counties and foreign support
10 proceedings; amending s. 88.2011, F.S.; providing that
11 specified bases of personal jurisdiction may not be used
12 to acquire personal jurisdiction for certain purposes
13 unless specified requirements are met; amending s.
14 88.2021, F.S.; providing for duration of personal
15 jurisdiction; deleting provisions relating to procedure
16 when exercising jurisdiction over nonresident; amending
17 ss. 88.2031 and 88.2041, F.S.; conforming provisions to
18 changes made by the act; amending s. 88.2051, F.S.;
19 revising provisions relating to continuation of exclusive
20 jurisdiction; amending s. 88.2061, F.S.; providing for
21 continuing jurisdiction to enforce child support orders;
22 amending s. 88.2071, F.S.; revising provisions relating to
23 determination of a controlling child support order;
24 amending s. 88.2081, F.S.; revising language relating to
25 child support orders for two or more obligees; amending s.
26 88.2091, F.S.; revising language relating to credit for
27 child support payments; creating s. 88.2101, F.S.;
28 providing for application of the act to a nonresident

29 subject to personal jurisdiction; creating s. 88.2111,
 30 F.S.; providing for continuing, exclusive jurisdiction to
 31 modify a spousal support order; amending s. 88.3011, F.S.;
 32 revising provisions relating to applicability of the act;
 33 amending ss. 88.3021 and 88.3031, F.S.; revising
 34 terminology; amending s. 88.3041, F.S.; revising
 35 provisions relating to duties of an initiating tribunal;
 36 amending s. 88.3051, F.S.; revising provisions relating to
 37 duties and powers of a responding tribunal; amending s.
 38 88.3061, F.S.; revising terminology; amending s. 88.3071,
 39 F.S.; revising provisions relating to the duties of a
 40 support enforcement agency; amending s. 88.3081, F.S.;
 41 providing that the Governor and Cabinet may determine that
 42 a foreign country has established a reciprocal arrangement
 43 for child support with this state and take appropriate
 44 action for notification of the determination; amending s.
 45 88.3101, F.S.; revising terminology; amending s. 88.3111,
 46 F.S.; revising provisions relating to pleadings and
 47 accompanying documents; amending s. 88.3121, F.S.;
 48 revising requirements for nondisclosure of certain
 49 information; amending ss. 88.3131 and 88.3141, F.S.;
 50 revising terminology; amending s. 88.3161, F.S.; revising
 51 provisions relating to special rules of evidence and
 52 procedure; amending ss. 88.3171 and 88.3181, F.S.;
 53 revising terminology; amending s. 88.3191, F.S.; revising
 54 provisions relating to receipt and disbursement of
 55 payments; amending s. 88.4011, F.S.; revising provisions
 56 relating to establishment of a support order; providing a

57 | directive to the Division of Statutory Revision; amending
58 | s. 88.5011, F.S.; revising provisions relating to an
59 | employer's receipt of an income-withholding order from
60 | another state; amending ss. 88.50211, 88.5031, 88.5041,
61 | and 88.5051, F.S.; revising terminology; amending s.
62 | 88.5061, F.S.; revising provisions relating to a contest
63 | by obligor; amending s. 88.5071, F.S.; revising
64 | terminology; providing a directive to the Division of
65 | Statutory Revision; amending s. 88.6011, F.S.; revising
66 | terminology; amending s. 88.6021, F.S.; revising
67 | provisions relating to the procedure to register order for
68 | enforcement; amending s. 88.6031, F.S.; revising
69 | terminology; amending s. 88.6041, F.S.; revising
70 | provisions relating to choice of law; amending s. 88.6051,
71 | F.S.; revising provisions relating to notice of
72 | registration of order; amending s. 88.6061, F.S.; revising
73 | provisions relating to the procedure to contest the
74 | validity or enforcement of a registered order; amending s.
75 | 88.6071, F.S.; revising provisions relating to the
76 | contesting of registration or enforcement; amending s.
77 | 88.6081, F.S.; revising terminology; amending s. 88.6091,
78 | F.S.; correcting a cross-reference; amending s. 88.6111,
79 | F.S.; revising provisions relating to modification of a
80 | child support order of another state; amending s. 88.6121,
81 | F.S.; revising provisions relating to recognition of a
82 | child support order modified in another state; creating s.
83 | 88.6151, F.S.; providing for jurisdiction to modify a
84 | child support order of a foreign country; creating s.

85 | 88.6161, F.S.; providing procedures for registration of a
86 | child support order of a foreign country for modification;
87 | providing a directive to the Division of Statutory
88 | Revision; repealing s. 88.7011, F.S., relating to a
89 | proceeding to determine parentage of a child; creating s.
90 | 88.70111, F.S.; providing definitions relating to a
91 | support proceeding under the Convention on the
92 | International Recovery of Child Support and Other Forms of
93 | Family Maintenance; creating s. 88.7021, F.S.; providing
94 | for applicability; creating s. 88.7031, F.S.; specifying
95 | the relationship of the Department of Revenue to the
96 | United States central authority; creating s. 88.7041,
97 | F.S.; providing for initiation by the Department of
98 | Revenue of support proceedings subject to the convention;
99 | creating s. 88.7051, F.S.; providing for direct requests
100 | to tribunals; creating s. 88.7061, F.S.; providing for
101 | registration of a support order subject to the convention;
102 | creating s. 88.7071, F.S.; providing for contests of the
103 | validity of foreign support orders subject to the
104 | convention; creating s. 88.7081, F.S.; providing for the
105 | recognition and enforcement of a foreign support order
106 | subject to the convention; creating s. 88.7091, F.S.;
107 | specifying grounds for the refusal of recognition and
108 | enforcement of foreign support order subject to the
109 | convention; creating s. 88.7101, F.S.; providing
110 | requirements for a foreign support agreement subject to
111 | the convention; creating s. 88.7111, F.S.; providing for
112 | the modification of a foreign child support order subject

113 to the convention; creating s. 88.7121, F.S.; providing
 114 jurisdiction to modify a spousal support order of a
 115 foreign country; amending s. 88.8011, F.S.; revising
 116 terminology; amending s. 88.9011, F.S.; revising
 117 provisions relating to the uniformity of application and
 118 construction of the act; amending s. 88.9031, F.S.;
 119 revising terminology; amending ss. 61.13 and 827.06, F.S.;
 120 correcting cross-references; directing the Department of
 121 Revenue to apply for a waiver; providing a contingent
 122 effective date.

123

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

125

126 Section 1. Section 88.1011, Florida Statutes, is amended
 127 to read:

128 88.1011 Definitions.—As used in this act:

129 (1) "Child" means an individual, whether over or under the
 130 age of majority, who is or is alleged to be owed a duty of
 131 support by the individual's parent or who is or is alleged to be
 132 the beneficiary of a support order directed to the parent.

133 (2) "Child support order" means a support order for a
 134 child, including a child who has attained the age of majority
 135 under the law of the issuing state or foreign country.

136 (3) "Convention" means the Convention on the International
 137 Recovery of Child Support and Other Forms of Family Maintenance,
 138 concluded at The Hague on November 23, 2007.

139 (4) ~~(3)~~ "Duty of support" means an obligation imposed or
 140 imposable by law to provide support for a child, spouse, or

141 former spouse, including an unsatisfied obligation to provide
 142 support.

143 (5) "Foreign country" means a country, including a
 144 political subdivision thereof, other than the United States,
 145 that authorizes the issuance of support orders and:

146 (a) Which has been declared under the law of the United
 147 States to be a foreign reciprocating country;

148 (b) Which has established a reciprocal arrangement for
 149 child support with this state as provided in s. 88.3081;

150 (c) Which has enacted a law or established procedures for
 151 the issuance and enforcement of support orders which are
 152 substantially similar to the procedures under this act; or

153 (d) In which the convention is in force with respect to
 154 the United States.

155 (6) "Foreign support order" means a support order of a
 156 foreign tribunal.

157 (7) "Foreign tribunal" means a court, administrative
 158 agency, or quasi-judicial entity of a foreign country which is
 159 authorized to establish, enforce, or modify support orders or to
 160 determine parentage of a child. The term includes a competent
 161 authority under the convention.

162 (8)-(4)- "Home state" means the state or foreign country in
 163 which a child lived with a parent or a person acting as parent
 164 for at least 6 consecutive months immediately preceding the time
 165 of filing of a petition or comparable pleading for support and,
 166 if a child is less than 6 months old, the state or foreign
 167 country in which the child lived from birth with any of them. A
 168 period of temporary absence of any of them is counted as part of

169 the 6-month or other period.

170 ~~(9)-(5)~~ "Income" includes earnings or other periodic
 171 entitlements to money from any source and any other property
 172 subject to withholding for support under the law of this state.

173 ~~(10)-(6)~~ "Income-withholding order" means an order or other
 174 legal process directed to an obligor's employer or other debtor,
 175 as defined by the income deduction law of this state, or payor
 176 as defined by s. 61.046, to withhold support from the income of
 177 the obligor.

178 ~~(7) "Initiating state" means a state from which a~~
 179 ~~proceeding is forwarded or in which a proceeding is filed for~~
 180 ~~forwarding to a responding state under this act or a law or~~
 181 ~~procedure substantially similar to this act, the Uniform~~
 182 ~~Reciprocal Enforcement of Support Act, or the Revised Uniform~~
 183 ~~Reciprocal Enforcement of Support Act.~~

184 ~~(11)-(8)~~ "Initiating tribunal" means the authorized
 185 tribunal of a state or foreign country from which a petition or
 186 comparable pleading is forwarded or in which a petition or
 187 comparable pleading is filed for forwarding to another state or
 188 foreign country in an initiating state.

189 ~~(12)~~ "Issuing foreign country" means the foreign country
 190 in which a tribunal issues a support order or a judgment
 191 determining parentage of a child.

192 ~~(13)-(9)~~ "Issuing state" means the state in which a
 193 tribunal issues a support order or renders a judgment
 194 determining parentage of a child.

195 ~~(14)-(10)~~ "Issuing tribunal" means the tribunal of a state
 196 or foreign country that issues a support order or ~~renders~~ a

197 judgment determining parentage of a child.

198 ~~(15)-(11)~~ "Law" includes decisional and statutory law and
 199 rules and regulations having the force of law.

200 ~~(16)-(12)~~ "Obligee" means:

201 (a) An individual to whom a duty of support is or is
 202 alleged to be owed or in whose favor a support order ~~has been~~
 203 ~~issued~~ or a judgment determining parentage of a child has been
 204 issued ~~rendered~~;

205 (b) A foreign country, state, or political subdivision of
 206 a state to which the rights under a duty of support or support
 207 order have been assigned or which has independent claims based
 208 on financial assistance provided to an individual obligee in
 209 place of child support; ~~or~~

210 (c) An individual seeking a judgment determining parentage
 211 of the individual's child; or

212 (d) A person that is a creditor in a proceeding under part
 213 VII of this chapter.

214 ~~(17)-(13)~~ "Obligor" means an individual, or the estate of a
 215 decedent that:

216 (a) ~~Who~~ Owes or is alleged to owe a duty of support;

217 (b) ~~Who~~ Is alleged but has not been adjudicated to be a
 218 parent of a child; ~~or~~

219 (c) ~~Who~~ Is liable under a support order; or

220 (d) Is a debtor in a proceeding under part VII.

221 (18) "Outside this state" means a location in another
 222 state or a country other than the United States, whether or not
 223 the country is a foreign country.

224 (19) "Person" means an individual, corporation, business

225 trust, estate, trust, partnership, limited liability company,
 226 association, joint venture, public corporation, government, or
 227 governmental subdivision, agency, or instrumentality or any
 228 other legal or commercial entity.

229 (20) "Record" means information that is inscribed on a
 230 tangible medium or that is stored in an electronic or other
 231 medium that is retrievable in perceivable form.

232 (21)-(14) "Register" means to record or file in a tribunal
 233 of this state a support order or judgment determining parentage
 234 of a child issued in another state or a foreign country in the
 235 ~~Registry of Foreign Support Orders of the circuit court, or~~
 236 ~~other appropriate location for the recording or filing of~~
 237 ~~foreign judgments generally or foreign support orders~~
 238 ~~specifically.~~

239 (22)-(15) "Registering tribunal" means a tribunal in which
 240 a support order or judgment determining parentage of a child is
 241 registered.

242 (23)-(16) "Responding state" means a state in which a
 243 petition or comparable pleading for support or to determine
 244 parentage of a child proceeding is filed or to which a petition
 245 or comparable pleading proceeding is forwarded for filing from
 246 another state or a foreign country an initiating state under
 247 ~~this act or a law or procedure substantially similar to this~~
 248 ~~act, the Uniform Reciprocal Enforcement of Support Act, or the~~
 249 ~~Revised Uniform Reciprocal Enforcement of Support Act.~~

250 (24)-(17) "Responding tribunal" means the authorized
 251 tribunal in a responding state or a foreign country.

252 (25)-(18) "Spousal-support order" means a support order for

253 a spouse or former spouse of the obligor.

254 ~~(26)-(19)~~ "State" means a state of the United States, the
 255 District of Columbia, Puerto Rico, the United States Virgin
 256 Islands, or any territory or insular possession under ~~subject to~~
 257 the jurisdiction of the United States. The term includes:

258 ~~(a)~~ an Indian nation or tribe; ~~and~~

259 ~~(b)~~ ~~A foreign jurisdiction that has enacted a law or~~
 260 ~~established procedures for issuance and enforcement of support~~
 261 ~~orders which are substantially similar to the procedures under~~
 262 ~~this act, the Uniform Reciprocal Enforcement of Support Act, or~~
 263 ~~the Revised Uniform Reciprocal Enforcement of Support Act, as~~
 264 ~~determined by the Attorney General.~~

265 ~~(27)-(20)~~ "Support enforcement agency" means a public
 266 official, governmental entity, or private agency authorized to
 267 seek:

268 (a) Seek enforcement of support orders or laws relating to
 269 the duty of support;

270 (b) Seek establishment or modification of child support;

271 (c) Request determination of parentage of a child; ~~or~~

272 (d) Attempt to locate obligors or their assets; or

273 (e) Request determination of the controlling child support
 274 order.

275 ~~(28)-(21)~~ "Support order" means a judgment, decree, ~~or~~
 276 order, decision, or directive, whether temporary, final, or
 277 subject to modification, issued in a state or foreign country
 278 for the benefit of a child, a spouse, or a former spouse, which
 279 provides for monetary support, health care, arrearages,
 280 retroactive support, or reimbursement for financial assistance

281 provided to an individual obligee in place of child support. The
 282 term,~~and~~ may include related costs and fees, interest, income
 283 withholding, automatic adjustment, reasonable attorney's fees,
 284 and other relief.

285 ~~(29)-(22)~~ "Tribunal" means a court, administrative agency,
 286 or quasi-judicial entity authorized to establish, enforce, or
 287 modify support orders or to determine parentage of a child.

288 Section 2. Section 88.1021, Florida Statutes, is amended
 289 to read:

290 88.1021 ~~Tribunal of State~~ tribunal and support enforcement
 291 agency.-

292 (1) The circuit court or other appropriate court,
 293 administrative agency, quasi-judicial entity, or combination is
 294 the tribunal of this state.

295 (2) The Department of Revenue is the support enforcement
 296 agency of this state.

297 Section 3. Section 88.1031, Florida Statutes, is amended
 298 to read:

299 88.1031 Remedies cumulative.-

300 (1) Remedies provided by this act are cumulative and do
 301 not affect the availability of remedies under other law, or the
 302 recognition of a foreign support order on the basis of comity.

303 (2) This act does not:

304 (a) Provide the exclusive method of establishing or
 305 enforcing a support order under the law of this state; or

306 (b) Grant a tribunal of this state jurisdiction to render
 307 judgment or issue an order relating to child custody or
 308 visitation in a proceeding under this act.

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309 Section 4. Section 88.1041, Florida Statutes, is created
310 to read:

311 88.1041 Application of act to resident of foreign country
312 and foreign support proceeding.-

313 (1) A tribunal of this state shall apply parts I through
314 VI of this chapter, and, as applicable, part VII of this
315 chapter, to a support proceeding involving:

316 (a) A foreign support order;

317 (b) A foreign tribunal; or

318 (c) An obligee, obligor, or child residing in a foreign
319 country.

320 (2) A tribunal of this state that is requested to
321 recognize and enforce a support order on the basis of comity may
322 apply the procedural and substantive provisions of parts I
323 through VI of this chapter.

324 (3) Part VII of this chapter applies only to a support
325 proceeding under the convention. In such a proceeding, if a
326 provision of part VII of this chapter is inconsistent with parts
327 I through VI of this chapter, part VII of this chapter controls.

328 Section 5. Section 88.2011, Florida Statutes, is amended
329 to read:

330 88.2011 Bases for jurisdiction over nonresident.-

331 (1) In a proceeding to establish ~~or~~, enforce, ~~or modify~~ a
332 support order or to determine parentage of a child, a tribunal
333 of this state may exercise personal jurisdiction over a
334 nonresident individual or the individual's guardian or
335 conservator if:

336 (a) ~~(1)~~ The individual is personally served with citation,

337 summons, or notice within this state;

338 ~~(b)(2)~~ The individual submits to the jurisdiction of this
 339 state by consent in a record, by entering a general appearance,
 340 or by filing a responsive document having the effect of waiving
 341 any contest to personal jurisdiction;

342 ~~(c)(3)~~ The individual resided with the child in this
 343 state;

344 ~~(d)(4)~~ The individual resided in this state and provided
 345 prenatal expenses or support for the child;

346 ~~(e)(5)~~ The child resides in this state as a result of the
 347 acts or directives of the individual;

348 ~~(f)(6)~~ The individual engaged in sexual intercourse in
 349 this state and the child may have been conceived by that act of
 350 intercourse;

351 ~~(g)(7)~~ The individual asserted parentage of a child in a
 352 tribunal or in a putative father registry maintained in this
 353 state by the appropriate agency; or

354 ~~(h)(8)~~ There is any other basis consistent with the
 355 constitutions of this state and the United States for the
 356 exercise of personal jurisdiction.

357 (2) The bases of personal jurisdiction set forth in
 358 subsection (1) or in any other law of this state may not be used
 359 to acquire personal jurisdiction for tribunal of this state to
 360 modify a child support order of another state unless the
 361 requirements of s. 88.6111 are met, or, in the case of a foreign
 362 support order, unless the requirements of s. 88.6151 are met.

363 Section 6. Section 88.2021, Florida Statutes, is amended
 364 to read:

365 88.2021 Duration of personal ~~Procedure when exercising~~
 366 ~~jurisdiction over nonresident.~~ Personal jurisdiction acquired by
 367 a tribunal of this state in a proceeding under this act or other
 368 law of this state relating to a support order continues as long
 369 as a tribunal of this state has continuing, exclusive
 370 jurisdiction to modify its order or continuing jurisdiction to
 371 enforce its order as provided by ss. 88.2051, 88.2061, and
 372 88.2111 ~~A tribunal of this state exercising personal~~
 373 ~~jurisdiction over a nonresident under s. 88.2011 may apply s.~~
 374 ~~88.3161 (special rules of evidence and procedure) to receive~~
 375 ~~evidence from another state, and s. 88.3181 (assistance with~~
 376 ~~discovery) to obtain discovery through a tribunal of another~~
 377 ~~state. In all other respects, parts III through VII of this~~
 378 ~~chapter do not apply and the tribunal shall apply the procedural~~
 379 ~~and substantive law of this state, including the rules on choice~~
 380 ~~of law other than those established by this act.~~

381 Section 7. Section 88.2031, Florida Statutes, is amended
 382 to read:

383 88.2031 Initiating and responding tribunal of state.—Under
 384 this act, a tribunal of this state may serve as an initiating
 385 tribunal to forward proceedings to a tribunal of another state
 386 and as a responding tribunal for proceedings initiated in
 387 another state or a foreign country.

388 Section 8. Section 88.2041, Florida Statutes, is amended
 389 to read:

390 88.2041 Simultaneous proceedings in another state.—

391 (1) A tribunal of this state may exercise jurisdiction to
 392 establish a support order if the petition or comparable pleading

393 is filed after a petition or comparable pleading is filed in
 394 another state or a foreign country only if:

395 (a) The petition or comparable pleading in this state is
 396 filed before the expiration of the time allowed in the other
 397 state or the foreign country for filing a responsive pleading
 398 challenging the exercise of jurisdiction by the other state or
 399 the foreign country;

400 (b) The contesting party timely challenges the exercise of
 401 jurisdiction in the other state or the foreign country; and

402 (c) If relevant, this state is the home state of the
 403 child.

404 (2) A tribunal of this state may not exercise jurisdiction
 405 to establish a support order if the petition or comparable
 406 pleading is filed before a petition or comparable pleading is
 407 filed in another state or a foreign country if:

408 (a) The petition or comparable pleading in the other state
 409 or the foreign country is filed before the expiration of the
 410 time allowed in this state for filing a responsive pleading
 411 challenging the exercise of jurisdiction by this state;

412 (b) The contesting party timely challenges the exercise of
 413 jurisdiction in this state; and

414 (c) If relevant, the other state or the foreign country is
 415 the home state of the child.

416 Section 9. Section 88.2051, Florida Statutes, is amended
 417 to read:

418 88.2051 Continuing exclusive jurisdiction.—

419 (1) A tribunal of this state that has issued ~~issuing~~ a
 420 child support order consistent with the law of this state has

421 and shall exercise continuing, exclusive jurisdiction to modify
 422 its ~~over~~ a child support order if the order is the controlling
 423 order and:

424 (a) At the time of the filing of a request for
 425 modification, As long as this state is remains the residence of
 426 the obligor, the individual obligee, or the child for whose
 427 benefit the support order is issued; or

428 (b) Even if this state is not the residence of the
 429 obligor, the individual obligee, or the child for whose benefit
 430 the support order is issued, the parties consent in a record or
 431 in open court that the tribunal of this state may continue to
 432 exercise jurisdiction to modify its order ~~Until all of the~~
 433 ~~parties who are individuals have filed written consents with the~~
 434 ~~tribunal of this state for a tribunal of another state to modify~~
 435 ~~the order and assume continuing exclusive jurisdiction.~~

436 (2) A tribunal of this state that has issued ~~issuing~~ a
 437 child support order consistent with the law of this state may
 438 not exercise ~~its~~ continuing, exclusive jurisdiction to modify
 439 the order if: ~~the order has been modified by a tribunal of~~
 440 ~~another state pursuant to this act or a law substantially~~
 441 ~~similar to this act.~~

442 (a) All of the parties who are individuals file consent in
 443 a record with the tribunal of this state that a tribunal of
 444 another state that has jurisdiction over at least one of the
 445 parties who is an individual or that is located in the state of
 446 residence of the child may modify the order and assume
 447 continuing, exclusive jurisdiction; or

448 (b) Its order is not the controlling order.

449 ~~(3) If a child support order of this state is modified by~~
450 ~~a tribunal of another state pursuant to this act or a law~~
451 ~~substantially similar to this act, a tribunal of this state~~
452 ~~loses its continuing exclusive jurisdiction with regard to~~
453 ~~prospective enforcement of the order issued in this state, and~~
454 ~~may only:~~

455 ~~(a) Enforce the order that was modified as to amounts~~
456 ~~accruing before the modification;~~

457 ~~(b) Enforce nonmodifiable aspects of that order; and~~

458 ~~(c) Provide other appropriate relief for violations of~~
459 ~~that order which occurred before the effective date of the~~
460 ~~modification.~~

461 ~~(3)-(4) If a tribunal of this state shall recognize the~~
462 ~~continuing exclusive jurisdiction of a tribunal of another state~~
463 ~~which has issued a child support order pursuant to this act or a~~
464 ~~law substantially similar to this act which modifies a child~~
465 ~~support order of a tribunal of this state, tribunals of this~~
466 ~~state shall recognize the continuing, exclusive jurisdiction of~~
467 ~~the tribunal of the other state.~~

468 ~~(4) A tribunal of this state that lacks continuing,~~
469 ~~exclusive jurisdiction to modify a child support order may serve~~
470 ~~as an initiating tribunal to request a tribunal of another state~~
471 ~~to modify a support order issued in that state.~~

472 (5) A temporary support order issued ex parte or pending
473 resolution of a jurisdictional conflict does not create
474 continuing exclusive jurisdiction in the issuing tribunal.

475 ~~(6) A tribunal of this state issuing a support order~~
476 ~~consistent with the law of this state has continuing exclusive~~

477 ~~jurisdiction over a spousal support order throughout the~~
 478 ~~existence of the support obligation. A tribunal of this state~~
 479 ~~may not modify a spousal support order issued by a tribunal of~~
 480 ~~another state having continuing exclusive jurisdiction over that~~
 481 ~~order under the law of that state.~~

482 Section 10. Section 88.2061, Florida Statutes, is amended
 483 to read:

484 88.2061 ~~Enforcement and modification of support order by~~
 485 ~~tribunal having~~ Continuing jurisdiction to enforce child support
 486 order.—

487 (1) A tribunal of this state that has issued a child
 488 support order consistent with the law of this state may serve as
 489 an initiating tribunal to request a tribunal of another state to
 490 enforce; ~~or modify a support order issued in that state.~~

491 (a) The order if the order is the controlling order and
 492 has not been modified by a tribunal of another state that
 493 assumed jurisdiction pursuant to the Uniform Interstate Family
 494 Support Act; or

495 (b) A money judgment for arrears of support and interest
 496 on the order accrued before a determination that an order of a
 497 tribunal of another state is the controlling order.

498 (2) A tribunal of this state having continuing ~~exclusive~~
 499 jurisdiction over a support order may act as a responding
 500 tribunal to enforce ~~or modify~~ the order. ~~If a party subject to~~
 501 ~~the continuing exclusive jurisdiction of the tribunal no longer~~
 502 ~~resides in the issuing state, in subsequent proceedings the~~
 503 ~~tribunal may apply s. 88.3161 (special rules of evidence and~~
 504 ~~procedure) to receive evidence from another state and s. 88.3181~~

505 ~~(assistance with discovery) to obtain discovery through a~~
 506 ~~tribunal of another state.~~

507 ~~(3) A tribunal of this state which lacks continuing~~
 508 ~~exclusive jurisdiction over a spousal support order may not~~
 509 ~~serve as a responding tribunal to modify a spousal support order~~
 510 ~~of another state.~~

511 Section 11. Section 88.2071, Florida Statutes, is amended
 512 to read:

513 88.2071 Determination ~~Recognition~~ of controlling child
 514 support order.—

515 (1) If a proceeding is brought under this act and only one
 516 tribunal has issued a child support order, the order of that
 517 tribunal controls and must be ~~so~~ recognized.

518 (2) If a proceeding is brought under this act, and two or
 519 more child support orders have been issued by tribunals of this
 520 state, ~~or~~ another state, or a foreign country with regard to the
 521 same obligor and the same child, a tribunal of this state having
 522 personal jurisdiction over both the obligor and individual
 523 obligee shall apply the following rules and by order shall
 524 determine in determining which order controls and must be
 525 recognized ~~to recognize for purposes of continuing, exclusive~~
 526 ~~jurisdiction:~~

527 (a) If only one of the tribunals would have continuing,
 528 exclusive jurisdiction under this act, the order of that
 529 tribunal controls ~~and must be so~~ recognized.

530 (b) If more than one of the tribunals would have
 531 continuing, exclusive jurisdiction under this act:7

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533 of the child controls; or ~~and must be so recognized, but~~

534 2. If an order has not been issued in the current home
535 state of the child, the order most recently issued controls ~~and~~
536 ~~must be so recognized.~~

537 (c) If none of the tribunals would have continuing,
538 exclusive jurisdiction under this act, the tribunal of this
539 state ~~having jurisdiction over the parties~~ shall issue a child
540 support order, which controls ~~and must be so recognized.~~

541 (3) If two or more child support orders have been issued
542 for the same obligor and the same child, upon request of ~~and if~~
543 ~~the obligor or the individual obligee resides in this state, a~~
544 party who is an individual or that is a support enforcement
545 agency, may request a tribunal of this state having personal
546 jurisdiction over both the obligor and the obligee who is an
547 individual shall ~~to~~ determine which order controls ~~and must be~~
548 ~~so recognized~~ under subsection (2). The request may be filed
549 with a registration for enforcement or registration for
550 modification pursuant to part VI of this chapter, or may be
551 filed as a separate proceeding ~~must be accompanied by a~~
552 ~~certified copy of every support order in effect. The requesting~~
553 ~~party shall give notice of the request to each party whose~~
554 ~~rights may be affected by the determination.~~

555 (4) A request to determine which is the controlling order
556 must be accompanied by a copy of every child support order in
557 effect and the applicable record of payments. The requesting
558 party shall give notice of the request to each party whose
559 rights may be affected by the determination.

560 (5) ~~(4)~~ The tribunal that issued the controlling order

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561 under subsection (1), subsection (2), or subsection (3) ~~is the~~
562 ~~tribunal that~~ has continuing, ~~exclusive~~ jurisdiction to the
563 extent provided in s. ~~under s.~~ 88.2051 or s. 88.2061.

564 (6) ~~(5)~~ A tribunal of this state that ~~which~~ determines by
565 order which is the identity of the controlling order under
566 paragraph (2) (a), ~~or~~ paragraph (2) (b), or subsection (3) or that
567 ~~which~~ issues a new controlling order under paragraph (2) (c)
568 shall state in that order:

569 (a) The basis upon which the tribunal made its
570 determination;

571 (b) The amount of prospective support, if any; and

572 (c) The total amount of consolidated arrears and accrued
573 interest, if any, under all of the orders after all payments
574 made are credited as provided by s. 88.2091.

575 (7) ~~(6)~~ Within 30 days after issuance of an order
576 determining which is the identity of the controlling order, the
577 party obtaining the order shall file a certified copy of it in
578 ~~with~~ each tribunal that issued or registered an earlier order of
579 child support. A party or support enforcement agency obtaining
580 ~~who obtains~~ the order that ~~and~~ fails to file a certified copy is
581 subject to appropriate sanctions by a tribunal in which the
582 issue of failure to file arises. The failure to file does not
583 affect the validity or enforceability of the controlling order.

584 (8) An order that has been determined to be the
585 controlling order, or a judgment for consolidated arrears of
586 support and interest, if any, made pursuant to this section must
587 be recognized in proceedings under this act.

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588 Section 12. Section 88.2081, Florida Statutes, is amended
 589 to read:

590 88.2081 ~~Multiple~~ Child support orders for two or more
 591 obligees.—In responding to ~~multiple~~ registrations, petitions, or
 592 comparable pleadings for enforcement of two or more child
 593 support orders in effect at the same time with regard to the
 594 same obligor and different individual obligees, at least one of
 595 which was issued by a tribunal of another state or a foreign
 596 country, a tribunal of this state shall enforce those orders in
 597 the same manner as if the ~~multiple~~ orders had been issued by a
 598 tribunal of this state.

599 Section 13. Section 88.2091, Florida Statutes, is amended
 600 to read:

601 88.2091 Credit for payments.—A tribunal of this state
 602 shall credit amounts collected ~~and credited~~ for a particular
 603 period pursuant to any child support order against the amounts
 604 owed for the same period under any other child support order for
 605 support of the same child ~~a support order issued by a tribunal~~
 606 ~~of another state must be credited against the amounts accruing~~
 607 ~~or accrued for the same period under a support order issued by~~
 608 the tribunal of this state, another state, or a foreign country.

609 Section 14. Section 88.2101, Florida Statutes, is created
 610 to read:

611 88.2101 Application of act to nonresident subject to
 612 personal jurisdiction.—A tribunal of this state exercising
 613 personal jurisdiction over a nonresident in a proceeding under
 614 this act, under another law of this state relating to a support
 615 order, or recognizing a foreign support order may receive

616 evidence from outside this state pursuant to s. 88.3161,
 617 communicate with a tribunal outside this state pursuant to s.
 618 88.3171, and obtain discovery through a tribunal outside this
 619 state pursuant to s. 88.3181. In all other respects, parts III
 620 through VI of this chapter do not apply, and the tribunal shall
 621 apply the procedural and substantive law of this state.

622 Section 15. Section 88.2111, Florida Statutes, is created
 623 to read:

624 88.2111 Continuing, exclusive jurisdiction to modify
 625 spousal support order.-

626 (1) A tribunal of this state issuing a spousal support
 627 order consistent with the law of this state has continuing,
 628 exclusive jurisdiction to modify the spousal support order
 629 throughout the existence of the support obligation.

630 (2) A tribunal of this state may not modify a spousal
 631 support order issued by a tribunal of another state or foreign
 632 country having continuing, exclusive jurisdiction over that
 633 order under the law of that state or foreign country.

634 (3) A tribunal of this state that has continuing,
 635 exclusive jurisdiction over a spousal support order may serve
 636 as:

637 (a) An initiating tribunal to request a tribunal of
 638 another state to enforce the spousal support order issued in
 639 this state; or

640 (b) A responding tribunal to enforce or modify its own
 641 spousal support order.

642 Section 16. Section 88.3011, Florida Statutes, is amended
 643 to read:

644 88.3011 Proceedings under this act.—

645 (1) Except as otherwise provided in this act, this part
 646 ~~article~~ applies to all proceedings under this act.

647 ~~(2) This act provides for the following proceedings:~~

648 ~~(a) Establishment of an order for spousal support or child~~
 649 ~~support pursuant to part IV;~~

650 ~~(b) Enforcement of a support order and income withholding~~
 651 ~~order of another state without registration pursuant to part V;~~

652 ~~(c) Registration of an order for spousal support or child~~
 653 ~~support of another state for enforcement pursuant to part VI;~~

654 ~~(d) Modification of an order for child support or spousal~~
 655 ~~support issued by a tribunal of this state pursuant to ss.~~
 656 ~~88.2031-88.2061;~~

657 ~~(e) Registration of an order for child support of another~~
 658 ~~state for modification pursuant to part VI;~~

659 ~~(f) Determination of parentage pursuant to part VII; and~~

660 ~~(g) Assertion of jurisdiction over nonresidents pursuant~~
 661 ~~to ss. 88.2011-88.2021.~~

662 ~~(2)~~⁽³⁾ An individual petitioner or a support enforcement
 663 agency may initiate ~~commence~~ a proceeding authorized under this
 664 act by filing a petition or a comparable pleading in an
 665 initiating tribunal for forwarding to a responding tribunal or
 666 by filing a petition or a comparable pleading directly in a
 667 tribunal of another state or a foreign country which has or can
 668 obtain personal jurisdiction over the respondent.

669 Section 17. Section 88.3021, Florida Statutes, is amended
 670 to read:

671 88.3021 Proceeding ~~Action~~ by minor parent.—A minor parent,

672 or a guardian or other legal representative of a minor parent,
 673 may maintain a proceeding on behalf of or for the benefit of the
 674 minor's child.

675 Section 18. Section 88.3031, Florida Statutes, is amended
 676 to read:

677 88.3031 Application of law of state.—Except as otherwise
 678 provided in ~~by~~ this act, a responding tribunal of this state
 679 shall:

680 (1) ~~Shall~~ Apply the procedural and substantive law~~7~~
 681 ~~including the rules on choice of law7~~, generally applicable to
 682 similar proceedings originating in this state and may exercise
 683 all powers and provide all remedies available in those
 684 proceedings; and

685 (2) ~~Shall~~ Determine the duty of support and the amount
 686 payable in accordance with the law and support guidelines of
 687 this state.

688 Section 19. Section 88.3041, Florida Statutes, is amended
 689 to read:

690 88.3041 Duties of initiating tribunal.—

691 (1) Upon the filing of a petition or comparable pleading
 692 authorized by this act, an initiating tribunal of this state
 693 shall forward ~~three copies of~~ the petition and its accompanying
 694 documents or a comparable pleading and its accompanying
 695 documents:

696 (a) To the responding tribunal or appropriate support
 697 enforcement agency in the responding state; or

698 (b) If the identity of the responding tribunal is unknown,
 699 to the state information agency of the responding state with a

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700 request that they be forwarded to the appropriate tribunal and
 701 that receipt be acknowledged.

702 (2) If requested by the responding tribunal ~~a responding~~
 703 ~~state has not enacted this act or a law or procedure~~
 704 ~~substantially similar to this act~~, a tribunal of this state
 705 shall ~~may~~ issue a certificate or other document and make
 706 findings required by the law of the responding state. If the
 707 responding tribunal ~~state~~ is in a foreign country jurisdiction,
 708 upon request the tribunal of this state shall ~~may~~ specify the
 709 amount of support sought, convert that amount into the
 710 equivalent amount in the foreign currency under applicable
 711 official or market exchange rate as publicly reported, and
 712 provide any other documents necessary to satisfy the
 713 requirements of the responding foreign tribunal ~~state~~.

714 Section 20. Section 88.3051, Florida Statutes, is amended
 715 to read:

716 88.3051 Duties and powers of responding tribunal.—

717 (1) When a responding tribunal of this state receives a
 718 petition or comparable pleading from an initiating tribunal or
 719 directly pursuant to s. 88.3011(2)(3), it shall cause the
 720 petition or comparable pleading to be filed and notify the
 721 petitioner where and when it was filed.

722 (2) A responding tribunal of this state, to the extent not
 723 prohibited ~~otherwise authorized~~ by other law, may do one or more
 724 of the following:

725 (a) Establish ~~Issue~~ or enforce a support order, modify a
 726 child support order, determine the controlling child support
 727 order, or ~~render a judgment to~~ determine parentage of a child.

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- 728 (b) Order an obligor to comply with a support order,
729 specifying the amount and the manner of compliance.
- 730 (c) Order income withholding.
- 731 (d) Determine the amount of any arrearages, and specify a
732 method of payment.
- 733 (e) Enforce orders by civil or criminal contempt, or both.
- 734 (f) Set aside property for satisfaction of the support
735 order.
- 736 (g) Place liens and order execution on the obligor's
737 property.
- 738 (h) Order an obligor to keep the tribunal informed of the
739 obligor's current residential address, electronic mail address,
740 telephone number, employer, address of employment, and telephone
741 number at the place of employment.
- 742 (i) Issue a bench warrant, *capias*, or writ of bodily
743 attachment for an obligor who has failed after proper notice to
744 appear at a hearing ordered by the tribunal and enter the bench
745 warrant, *capias*, or writ of bodily attachment in any local and
746 state computer systems for criminal warrants.
- 747 (j) Order the obligor to seek appropriate employment by
748 specified methods.
- 749 (k) Award reasonable attorney's fees and other fees and
750 costs.
- 751 (l) Grant any other available remedy.
- 752 (3) A responding tribunal of this state shall include in a
753 support order issued under this act, or in the documents
754 accompanying the order, the calculations on which the support
755 order is based.

756 (4) A responding tribunal of this state may not condition
 757 the payment of a support order issued under this act upon
 758 compliance by a party with provisions for visitation.

759 (5) If a responding tribunal of this state issues an order
 760 under this act, the tribunal shall send a copy of the order to
 761 the petitioner and the respondent and to the initiating
 762 tribunal, if any.

763 (6) If requested to enforce a support order, arrears, or
 764 judgment, or modify a support order stated in a foreign
 765 currency, a responding tribunal of this state shall convert the
 766 amount stated in the foreign currency to the equivalent amount
 767 in dollars under the applicable official or market exchange rate
 768 as publicly reported.

769 Section 21. Section 88.3061, Florida Statutes, is amended
 770 to read:

771 88.3061 Inappropriate tribunal.—If a petition or
 772 comparable pleading is received by an inappropriate tribunal of
 773 this state, the tribunal ~~it~~ shall forward the pleading and
 774 accompanying documents to an appropriate tribunal of ~~in~~ this
 775 state or another state and notify the petitioner where and when
 776 the pleading was sent.

777 Section 22. Section 88.3071, Florida Statutes, is amended
 778 to read:

779 88.3071 Duties of support enforcement agency.—

780 (1) In a proceeding under this act, a support enforcement
 781 agency of this state, upon request:

782 (a) Shall provide services to a petitioner residing in a
 783 state;

784 (b) Shall provide services to a petitioner requesting
 785 services through a central authority of a foreign country as
 786 described in s. 88.1011(5) (a) or s. 88.1011(5) (d); and

787 (c) May provide services to a petitioner who is an
 788 individual not residing in a state ~~A support enforcement agency~~
 789 ~~of this state, upon request, shall provide services to a~~
 790 ~~petitioner in a proceeding under this act.~~

791 (2) A support enforcement agency that is providing
 792 services to the petitioner as appropriate shall:

793 (a) Take all steps necessary to enable an appropriate
 794 tribunal in this state, ~~or~~ another state, or a foreign country
 795 to obtain jurisdiction over the respondent.

796 (b) Request an appropriate tribunal to set a date, time,
 797 and place for a hearing.

798 (c) Make a reasonable effort to obtain all relevant
 799 information, including information as to income and property of
 800 the parties.

801 (d) Within 10 days, exclusive of Saturdays, Sundays, and
 802 legal holidays, after receipt of a written notice from an
 803 initiating, responding, or registering tribunal, send a copy of
 804 the notice to the petitioner.

805 (e) Within 10 days, exclusive of Saturdays, Sundays, and
 806 legal holidays, after receipt of a written communication from
 807 the respondent or the respondent's attorney, send a copy of the
 808 communication to the petitioner.

809 (f) Notify the petitioner if jurisdiction over the
 810 respondent cannot be obtained.

811 (3) A support enforcement agency of this state that

812 requests registration of a child support order in this state for
 813 enforcement or for modification shall make reasonable efforts:

814 (a) To ensure that the order to be registered is the
 815 controlling order; or

816 (b) If two or more child support orders exist and the
 817 identity of the controlling order has not been determined, to
 818 ensure that a request for such a determination is made in a
 819 tribunal having jurisdiction to do so.

820 (4) A support enforcement agency of this state that
 821 requests registration and enforcement of a support order,
 822 arrears, or judgment stated in a foreign currency shall convert
 823 the amounts stated in the foreign currency into the equivalent
 824 amounts in dollars under the applicable official or market
 825 exchange rate as publicly reported.

826 (5) A support enforcement agency of this state shall issue
 827 or request a tribunal of this state to issue a child support
 828 order and an income-withholding order that redirect payment of
 829 current support, arrears, and interest if requested to do so by
 830 a support enforcement agency of another state pursuant to s.
 831 88.3191.

832 (6) ~~(3)~~ This act does not create or negate a relationship
 833 of attorney and client or other fiduciary relationship between a
 834 support enforcement agency or the attorney for the agency and
 835 the individual being assisted by the agency.

836 Section 23. Section 88.3081, Florida Statutes, is amended
 837 to read:

838 88.3081 Duty of Governor and Cabinet.—

839 (1) If the Governor and Cabinet determine that the support

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840 enforcement agency is neglecting or refusing to provide services
 841 to an individual, the Governor and Cabinet may order the agency
 842 to perform its duties under this act or may provide those
 843 services directly to the individual.

844 (2) The Governor and Cabinet may determine that a foreign
 845 country has established a reciprocal arrangement for child
 846 support with this state and take appropriate action for
 847 notification of the determination.

848 Section 24. Paragraph (c) of subsection (2) of section
 849 88.3101, Florida Statutes, is amended to read:

850 88.3101 Duties of state information agency.—

851 (2) The state information agency shall:

852 (c) Forward to the appropriate tribunal in the place in
 853 this state in which the ~~individual~~ obligee who is an individual
 854 or the obligor resides, or in which the obligor's property is
 855 believed to be located, all documents concerning a proceeding
 856 under this act received from another state or a foreign country
 857 ~~an initiating tribunal or the state information agency of the~~
 858 ~~initiating state.~~

859 Section 25. Subsection (1) of section 88.3111, Florida
 860 Statutes, is amended to read:

861 88.3111 Pleadings and accompanying documents.—

862 (1) In a proceeding under this act, a petitioner seeking
 863 to establish ~~or modify~~ a support order, ~~or~~ to determine
 864 parentage of a child, or to register and modify a support order
 865 of a tribunal of another state or a foreign country ~~in a~~
 866 ~~proceeding under this act~~ must file a ~~verify the~~ petition or
 867 comparable pleading. Unless otherwise ordered under s. 88.3121

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868 ~~(nondisclosure of information in exceptional circumstances)~~, the
 869 petition or comparable pleading or the documents accompanying
 870 either the petition or comparable pleading must provide, so far
 871 as known, the name, residential address, and social security
 872 numbers of the obligor and the obligee or the parent and alleged
 873 parent, and the name, sex, residential address, social security
 874 number, and date of birth of each child for whose benefit ~~whom~~
 875 support is sought or whose parentage of a child is to be
 876 determined. Unless filed at the time of registration, the
 877 petition must be accompanied by a ~~certified~~ copy of any support
 878 order known to have been issued by another tribunal ~~in effect~~.
 879 The petition may include any other information that may assist
 880 in locating or identifying the respondent.

881 Section 26. Section 88.3121, Florida Statutes, is amended
 882 to read:

883 88.3121 Nondisclosure of information in exceptional
 884 circumstances.—If a party alleges in an affidavit or a pleading
 885 under oath that the health, safety, or liberty of a party or
 886 child would be jeopardized by disclosure of specific identifying
 887 information, that information must be sealed and may not be
 888 disclosed to the other party or the public. After a hearing in
 889 which a tribunal takes into consideration the health, safety, or
 890 liberty of the party or child, the tribunal may order disclosure
 891 of information that the tribunal determines to be in the
 892 interest of justice ~~Upon a finding, which may be made ex parte,~~
 893 ~~that the health, safety, or liberty of a party or child would be~~
 894 ~~unreasonably put at risk by the disclosure of identifying~~
 895 ~~information, or if an existing order so provides, a tribunal~~

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896 ~~shall order that the address of the child or party or other~~
897 ~~identifying information not be disclosed in a pleading or other~~
898 ~~document filed in a proceeding under this act.~~

899 Section 27. Subsection (2) of section 88.3131, Florida
900 Statutes, is amended to read:

901 88.3131 Costs and fees.—

902 (2) If an obligee prevails, a responding tribunal of this
903 state may assess against an obligor filing fees, reasonable
904 attorney's fees, other costs, and necessary travel and other
905 reasonable expenses incurred by the obligee and the obligee's
906 witnesses. The tribunal may not assess fees, costs, or expenses
907 against the obligee or the support enforcement agency of either
908 the initiating or the responding state or foreign country,
909 except as provided by other law. Attorney's fees may be taxed as
910 costs, and may be ordered paid directly to the attorney, who may
911 enforce the order in the attorney's own name. Payment of support
912 owed to the obligee has priority over fees, costs, and expenses.

913 Section 28. Subsections (1) and (3) of section 88.3141,
914 Florida Statutes, are amended to read:

915 88.3141 Limited immunity of petitioner.—

916 (1) Participation by a petitioner in a proceeding under
917 this act before a responding tribunal, whether in person, by
918 private attorney, or through services provided by the support
919 enforcement agency, does not confer personal jurisdiction over
920 the petitioner in another proceeding.

921 (3) The immunity granted by this section does not extend
922 to civil litigation based on acts unrelated to a proceeding
923 under this act committed by a party while physically present in

924 | this state to participate in the proceeding.

925 | Section 29. Section 88.3161, Florida Statutes, is amended
 926 | to read:

927 | 88.3161 Special rules of evidence and procedure.—

928 | (1) The physical presence of a nonresident party who is an
 929 | individual ~~the petitioner~~ in a ~~responding~~ tribunal of this state
 930 | is not required for the establishment, enforcement, or
 931 | modification of a support order or the rendition of a judgment
 932 | determining parentage of a child.

933 | (2) ~~An A verified petition or other comparable pleading,~~
 934 | affidavit, a document substantially complying with federally
 935 | mandated forms, or ~~and~~ a document incorporated by reference in
 936 | any of them, which would not be excluded under the hearsay rule
 937 | if given in person, is admissible in evidence if given under
 938 | penalty of perjury ~~oath~~ by a party or witness residing outside
 939 | this in another state.

940 | (3) A copy of the record of child support payments
 941 | certified as a true copy of the original by the custodian of the
 942 | record may be forwarded to a responding tribunal. The copy is
 943 | evidence of facts asserted in it, and is admissible to show
 944 | whether payments were made.

945 | (4) Copies of bills for testing for parentage of a child,
 946 | and for prenatal and postnatal health care of the mother and
 947 | child, furnished to the adverse party at least 10 days before
 948 | trial, are admissible in evidence to prove the amount of the
 949 | charges billed and that the charges were reasonable, necessary,
 950 | and customary.

951 | (5) Documentary evidence transmitted from outside this

952 ~~another~~ state to a tribunal of this state by telephone,
 953 telecopier, or other electronic means that do not provide an
 954 original record writing may not be excluded from evidence on an
 955 objection based on the means of transmission.

956 (6) In a proceeding under this act, a tribunal of this
 957 state shall ~~may~~ permit a party or witness residing outside this
 958 ~~in another~~ state to be deposed or to testify by telephone,
 959 audiovisual means, or other electronic means at a designated
 960 tribunal or other location ~~in that state~~. A tribunal of this
 961 state shall cooperate with other tribunals ~~of other states~~ in
 962 designating an appropriate location for the deposition or
 963 testimony.

964 (7) If a party called to testify at a civil hearing
 965 refuses to answer on the ground that the testimony may be self-
 966 incriminating, the trier of fact may draw an adverse inference
 967 from the refusal.

968 (8) A privilege against disclosure of communications
 969 between spouses does not apply in a proceeding under this act.

970 (9) The defense of immunity based on the relationship of
 971 husband and wife or parent and child does not apply in a
 972 proceeding under this act.

973 (10) A voluntary acknowledgment of paternity, certified as
 974 a true copy, is admissible to establish parentage of a child.

975 Section 30. Section 88.3171, Florida Statutes, is amended
 976 to read:

977 88.3171 Communications between tribunals.—A tribunal of
 978 this state may communicate with a tribunal outside this ~~of~~
 979 ~~another~~ state in a record writing, or by telephone, electronic

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980 mail, or other means, to obtain information concerning the laws
 981 of that state, the legal effect of a judgment, decree, or order
 982 of that tribunal, and the status of a proceeding ~~in the other~~
 983 ~~state~~. A tribunal of this state may furnish similar information
 984 by similar means to a tribunal outside this ~~of another~~ state.

985 Section 31. Section 88.3181, Florida Statutes, is amended
 986 to read:

987 88.3181 Assistance with discovery.—A tribunal of this
 988 state may:

989 (1) Request a tribunal outside this ~~of another~~ state to
 990 assist in obtaining discovery.

991 (2) Upon request, compel a person over which ~~whom~~ it has
 992 jurisdiction to respond to a discovery order issued by a
 993 tribunal outside this ~~of another~~ state.

994 Section 32. Section 88.3191, Florida Statutes, is amended
 995 to read:

996 88.3191 Receipt and disbursement of payments.—

997 (1) A support enforcement agency or tribunal of this state
 998 shall disburse promptly any amounts received pursuant to a
 999 support order, as directed by the order. The agency or tribunal
 1000 shall furnish to a requesting party or tribunal of another state
 1001 or a foreign country a certified statement by the custodian of
 1002 the record of the amounts and dates of all payments received.

1003 (2) If neither the obligor, nor the obligee who is an
 1004 individual, nor the child resides in this state, upon request
 1005 from the support enforcement agency of this state or another
 1006 state, the support enforcement agency of this state or a
 1007 tribunal of this state shall:

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1008 (a) Direct that the support payment be made to the support
 1009 enforcement agency in the state in which the obligee is
 1010 receiving services; and

1011 (b) Issue and send to the obligor's employer a conforming
 1012 income-withholding order or an administrative notice of change
 1013 of payee, reflecting the redirected payments.

1014 (3) The support enforcement agency of this state receiving
 1015 redirected payments from another state pursuant to a law similar
 1016 to subsection (2) shall furnish to a requesting party or
 1017 tribunal of the other state a certified statement by the
 1018 custodian of the record of the amount and dates of all payments
 1019 received.

1020 Section 33. Section 88.4011, Florida Statutes, is amended
 1021 to read:

1022 88.4011 Establishment of ~~Petition to establish~~ support
 1023 order.-

1024 (1) If a support order entitled to recognition under this
 1025 act has not been issued, a responding tribunal of this state
 1026 with personal jurisdiction over the parties may issue a support
 1027 order if:

1028 (a) The individual seeking the order resides outside this
 1029 ~~in another~~ state; or

1030 (b) The support enforcement agency seeking the order is
 1031 located outside this ~~in another~~ state.

1032 (2) The tribunal may issue a temporary child support order
 1033 if the tribunal determines that such an order is appropriate and
 1034 the individual ordered to pay is:

1035 (a) A presumed father of the child;

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1036 (b) Petitioning to have his paternity adjudicated;
 1037 (c) Identified as the father of the child through genetic
 1038 testing;
 1039 (d) An alleged father who has declined to submit to
 1040 genetic testing;
 1041 (e) Shown by clear and convincing evidence to be the
 1042 father of the child;
 1043 (f) An acknowledged father as provided in s. 382.013, s.
 1044 382.016, or s. 742.10;
 1045 (g) The mother of the child; or
 1046 (h) An individual who has been ordered to pay child
 1047 support in a previous proceeding and the order has not been
 1048 reversed or vacated
 1049 ~~(a) The respondent has signed a verified statement~~
 1050 ~~acknowledging parentage;~~
 1051 ~~(b) The respondent has been determined by or pursuant to~~
 1052 ~~law to be the parent; or~~
 1053 ~~(c) There is other clear and convincing evidence that the~~
 1054 ~~respondent is the child's parent.~~
 1055 (3) Upon finding, after notice and opportunity to be
 1056 heard, that an obligor owes a duty of support, the tribunal
 1057 shall issue a support order directed to the obligor and may
 1058 issue other orders pursuant to s. 88.3051.
 1059 Section 34. The Division of Statutory Revision is directed
 1060 to redesignate part V of chapter 88, Florida Statutes, as
 1061 "ENFORCEMENT OF SUPPORT ORDER OF ANOTHER STATE WITHOUT
 1062 REGISTRATION."

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1063 Section 35. Section 88.5011, Florida Statutes, is amended
 1064 to read:

1065 88.5011 Employer's receipt of income-withholding order of
 1066 another state.—An income-withholding order issued in another
 1067 state may be sent by or on behalf of the obligee, or by the
 1068 support enforcement agency, to the person ~~or entity~~ defined as
 1069 the obligor's employer under the income deduction law of this
 1070 state or payor as defined by s. 61.046, without first filing a
 1071 petition or comparable pleading or registering the order with a
 1072 tribunal of this state.

1073 Section 36. Paragraph (b) of subsection (3) of section
 1074 88.50211, Florida Statutes, is amended to read:

1075 88.50211 Employer's compliance with income-withholding
 1076 order of another state.—

1077 (3) Except as otherwise provided by subsection (4) and s.
 1078 88.5031, the employer shall withhold and distribute the funds as
 1079 directed in the withholding order by complying with the terms of
 1080 the order which specify:

1081 (b) The person ~~or agency~~ designated to receive payments
 1082 and the address to which the payments are to be forwarded;

1083 Section 37. Section 88.5031, Florida Statutes, is amended
 1084 to read:

1085 88.5031 Employer's compliance with two or more ~~multiple~~
 1086 income-withholding orders.—If the obligor's employer receives
 1087 two or more ~~multiple~~ income-withholding orders with respect to
 1088 the earnings of the same obligor, the employer satisfies the
 1089 terms of the ~~multiple~~ orders if the employer complies with the
 1090 law of the state of the obligor's principal place of employment

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1091 to establish the priorities for withholding and allocating
 1092 income withheld for two or more ~~multiple~~ child support obligees.

1093 Section 38. Section 88.5041, Florida Statutes, is amended
 1094 to read:

1095 88.5041 Immunity from civil liability.—An employer that
 1096 ~~who~~ complies with an income-withholding order issued in another
 1097 state in accordance with this article is not subject to civil
 1098 liability to an individual or agency with regard to the
 1099 employer's withholding of child support from the obligor's
 1100 income.

1101 Section 39. Section 88.5051, Florida Statutes, is amended
 1102 to read:

1103 88.5051 Penalties for noncompliance.—An employer that ~~who~~
 1104 willfully fails to comply with an income-withholding order
 1105 issued by another state and received for enforcement is subject
 1106 to the same penalties that may be imposed for noncompliance with
 1107 an order issued by a tribunal of this state.

1108 Section 40. Section 88.5061, Florida Statutes, is amended
 1109 to read:

1110 88.5061 Contest by obligor.—

1111 (1) An obligor may contest the validity or enforcement of
 1112 an income-withholding order issued in another state and received
 1113 directly by an employer in this state by registering the order
 1114 in a tribunal of this state and filing a contest to that order
 1115 as provided in part VI of this chapter, or otherwise contesting
 1116 the order in the same manner as if the order had been issued by
 1117 a tribunal of this state. ~~Section 88.6041, choice of law,~~
 1118 ~~applies to the contest.~~

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- 1119 (2) The obligor shall give notice of the contest to:
 1120 (a) A support enforcement agency providing services to the
 1121 obligee;
 1122 (b) Each employer that has directly received an income-
 1123 withholding order relating to the obligor; and
 1124 (c) The person ~~or agency~~ designated to receive payments in
 1125 the income-withholding order, or if no person ~~or agency~~ is
 1126 designated, to the obligee.

1127 Section 41. Subsection (1) of section 88.5071, Florida
 1128 Statutes, is amended to read:

1129 88.5071 Administrative enforcement of orders.—

- 1130 (1) A party or support enforcement agency seeking to
 1131 enforce a support order or an income-withholding order, or both,
 1132 issued in by a tribunal of another state or a foreign support
 1133 order may send the documents required for registering the order
 1134 to a support enforcement agency of this state.

1135 Section 42. (1) The Division of Statutory Revision is
 1136 directed to redesignate part VI of chapter 88, Florida Statutes,
 1137 as "REGISTRATION, ENFORCEMENT, AND MODIFICATION OF SUPPORT
 1138 ORDER."

1139 (2) The Division of Statutory Revision is directed to
 1140 divide part VI of chapter 88, Florida Statutes, into subpart A,
 1141 consisting of ss. 88.6011-88.6041, Florida Statutes, to be
 1142 entitled "Registration and Enforcement of Support Order;"
 1143 subpart B, consisting of ss. 88.6051-88.6081, Florida Statutes,
 1144 to be entitled "Contest of Validity or Enforcement;" subpart C,
 1145 consisting of ss. 88.6091-88.6141, Florida Statutes, to be
 1146 entitled "Registration and Modification of Child Support Order

1147 of Another State;" and subpart D, consisting of ss. 88.6151 and
 1148 88.6161, Florida Statutes, to be entitled "Registration and
 1149 Modification of Foreign Child Support Order."

1150 Section 43. Section 88.6011, Florida Statutes, is amended
 1151 to read:

1152 88.6011 Registration of order for enforcement.—A support
 1153 order or an income-withholding order issued in ~~by a tribunal of~~
 1154 another state or a foreign support order may be registered in
 1155 this state for enforcement.

1156 Section 44. Section 88.6021, Florida Statutes, is amended
 1157 to read:

1158 88.6021 Procedure to register order for enforcement.—

1159 (1) Except as otherwise provided in s. 88.7061, a support
 1160 order or income-withholding order of another state or a foreign
 1161 support order may be registered in this state by sending the
 1162 following records ~~documents and information~~ to the appropriate
 1163 tribunal in this state:

1164 (a) A letter of transmittal to the tribunal requesting
 1165 registration and enforcement.

1166 (b) Two copies, including one certified copy, of the order
 1167 ~~all orders~~ to be registered, including any modification of the
 1168 ~~an~~ order.

1169 (c) A sworn statement by the person requesting ~~party~~
 1170 ~~seeking~~ registration or a certified statement by the custodian
 1171 of the records showing the amount of any arrearage.

1172 (d) The name of the obligor and, if known:

- 1173 1. The obligor's address and social security number.
- 1174 2. The name and address of the obligor's employer and any

1175 other source of income of the obligor.

1176 3. A description and the location of property of the
1177 obligor in this state not exempt from execution.

1178 (e) Except as otherwise provided in s. 88.3121, the name
1179 and address of the obligee and, if applicable, the ~~agency or~~
1180 person to whom support payments are to be remitted.

1181 (2) On receipt of a request for registration, the
1182 registering tribunal shall cause the order to be filed as an
1183 order of a tribunal of another state or a foreign support order
1184 ~~a foreign judgment~~, together with one copy of the documents and
1185 information, regardless of their form.

1186 (3) A petition or comparable pleading seeking a remedy
1187 that must be affirmatively sought under other law of this state
1188 may be filed at the same time as the request for registration or
1189 later. The pleading must specify the grounds for the remedy
1190 sought.

1191 (4) If two or more orders are in effect, the person
1192 requesting registration shall:

1193 (a) Furnish to the tribunal a copy of every support order
1194 asserted to be in effect in addition to the documents specified
1195 in this section;

1196 (b) Specify the order alleged to be the controlling order,
1197 if any; and

1198 (c) Specify the amount of consolidated arrears, if any.

1199 (5) A request for a determination of which is the
1200 controlling order may be filed separately or with a request for
1201 registration and enforcement or for registration and
1202 modification. The person requesting registration shall give

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1203 notice of the request to each party whose rights may be affected
 1204 by the determination.

1205 Section 45. Section 88.6031, Florida Statutes, is amended
 1206 to read:

1207 88.6031 Effect of registration for enforcement.—

1208 (1) A support order or income-withholding order issued in
 1209 another state or a foreign support order is registered when the
 1210 order is filed in the registering tribunal of this state.

1211 (2) A registered support order issued in another state or
 1212 a foreign country is enforceable in the same manner and is
 1213 subject to the same procedures as an order issued by a tribunal
 1214 of this state.

1215 (3) Except as otherwise provided in this act ~~article~~, a
 1216 tribunal of this state shall recognize and enforce, but may not
 1217 modify, a registered support order if the issuing tribunal had
 1218 jurisdiction.

1219 Section 46. Section 88.6041, Florida Statutes, is amended
 1220 to read:

1221 88.6041 Choice of law.—

1222 (1) Except as otherwise provided in subsection (4), the
 1223 law of the issuing state or foreign country governs:

1224 (a) The nature, extent, amount, and duration of current
 1225 payments under a registered support order; ~~and other obligations~~
 1226 ~~of support and~~

1227 (b) The computation and payment of arrearages and accrual
 1228 of interest on the arrearages under the order; and

1229 (c) The existence and satisfaction of other obligations
 1230 under the support order.

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1231 (2) In a proceeding for arrears under a registered support
 1232 order arrearages, the statute of limitation ~~under the laws of~~
 1233 this state or of the issuing state or foreign country, whichever
 1234 is longer, applies.

1235 (3) A responding tribunal of this state shall apply the
 1236 procedures and remedies of this state to enforce current support
 1237 and collect arrears and interest due on a support order of
 1238 another state or foreign country registered in this state.

1239 (4) After a tribunal of this or another state determines
 1240 which is the controlling order and issues an order consolidating
 1241 arrears, if any, a tribunal of this state shall prospectively
 1242 apply the law of the state or foreign country issuing the
 1243 controlling order, including its law on interest on arrears, on
 1244 current and future support, and on consolidated arrears.

1245 Section 47. Section 88.6051, Florida Statutes, is amended
 1246 to read:

1247 88.6051 Notice of registration of order.—

1248 (1) When a support order or income-withholding order
 1249 issued in another state or a foreign support order is
 1250 registered, the registering tribunal of this state shall notify
 1251 the nonregistering party. The notice must be accompanied by a
 1252 copy of the registered order and the documents and relevant
 1253 information accompanying the order.

1254 (2) A ~~The~~ notice must inform the nonregistering party:

1255 (a) That a registered order is enforceable as of the date
 1256 of registration in the same manner as an order issued by a
 1257 tribunal of this state.

1258 (b) That a hearing to contest the validity or enforcement

1259 of the registered order must be requested within 20 days after
 1260 the date of mailing or personal service of the notice, unless
 1261 the registered order is under s. 88.7071.

1262 (c) That failure to contest the validity or enforcement of
 1263 the registered order in a timely manner will result in
 1264 confirmation of the order and enforcement of the order and the
 1265 alleged arrearages and precludes further contest of that order
 1266 with respect to any matter that could have been asserted.

1267 (d) Of the amount of any alleged arrearages.

1268 (3) If the registering party asserts that two or more
 1269 orders are in effect, a notice must also:

1270 (a) Identify the two or more orders and the order alleged
 1271 by the registering party to be the controlling order and the
 1272 consolidated arrears, if any;

1273 (b) Notify the nonregistering party of the right to a
 1274 determination of which is the controlling order;

1275 (c) State that the procedures provided in subsection (2)
 1276 apply to the determination of which is the controlling order;
 1277 and

1278 (d) State that failure to contest the validity or
 1279 enforcement of the order alleged to be the controlling order in
 1280 a timely manner may result in confirmation that the order is the
 1281 controlling order.

1282 (4) ~~(3)~~ Upon registration of an income-withholding order
 1283 for enforcement, the support enforcement agency or the
 1284 registering tribunal shall notify the obligor's employer
 1285 pursuant to chapter 61 or other income deduction law of this
 1286 state.

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1287 Section 48. Subsections (1) and (2) of section 88.6061,
 1288 Florida Statutes, are amended to read:

1289 88.6061 Procedure to contest validity or enforcement of
 1290 registered order.—

1291 (1) A nonregistering party seeking to contest the validity
 1292 or enforcement of a registered order in this state shall request
 1293 a hearing within the time required by s. 88.6051 ~~20 days after~~
 1294 ~~notice of the registration~~. The nonregistering party may seek to
 1295 vacate the registration, to assert any defense to an allegation
 1296 of noncompliance with the registered order, or to contest the
 1297 remedies being sought or the amount of any alleged arrearages
 1298 pursuant to s. 88.6071.

1299 (2) If the nonregistering party fails to contest the
 1300 validity or enforcement of the registered support order in a
 1301 timely manner, the order is confirmed by operation of law.

1302 Section 49. Section 88.6071, Florida Statutes, is amended
 1303 to read:

1304 88.6071 Contest of registration or enforcement.—

1305 (1) A party contesting the validity or enforcement of a
 1306 registered support order or seeking to vacate the registration
 1307 has the burden of proving one or more of the following defenses:

1308 (a) The issuing tribunal lacked personal jurisdiction over
 1309 the contesting party;

1310 (b) The order was obtained by fraud;

1311 (c) The order has been vacated, suspended, or modified by
 1312 a later order;

1313 (d) The issuing tribunal has stayed the order pending
 1314 appeal;

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1315 (e) There is a defense under the law of this state to the
 1316 remedy sought;

1317 (f) Full or partial payment has been made; ~~or~~

1318 (g) The statute of limitation under s. 88.6041 precludes
 1319 enforcement of some or all of the alleged arrearages; or

1320 (h) The alleged controlling order is not the controlling
 1321 order.

1322 (2) If a party presents evidence establishing a full or
 1323 partial defense under subsection (1), a tribunal may stay
 1324 enforcement of a ~~the~~ registered support order, continue the
 1325 proceeding to permit production of additional relevant evidence,
 1326 and issue other appropriate orders. An uncontested portion of
 1327 the registered support order may be enforced by all remedies
 1328 available under the law of this state.

1329 (3) If the contesting party does not establish a defense
 1330 under subsection (1) to the validity or enforcement of a
 1331 registered support ~~the~~ order, the registering tribunal shall
 1332 issue an order confirming the order.

1333 Section 50. Section 88.6081, Florida Statutes, is amended
 1334 to read:

1335 88.6081 Confirmed order.—Confirmation of a registered
 1336 support order, whether by operation of law or after notice and
 1337 hearing, precludes further contest of the order with respect to
 1338 any matter that could have been asserted at the time of
 1339 registration.

1340 Section 51. Section 88.6091, Florida Statutes, is amended
 1341 to read:

1342 88.6091 Procedure to register child support order of

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1343 another state for modification.—A party or support enforcement
 1344 agency seeking to modify, or to modify and enforce, a child
 1345 support order issued in another state shall register that order
 1346 in this state in the same manner provided in ss. 88.6011-88.6081
 1347 ~~88.6011-88.6041~~ if the order has not been registered. A petition
 1348 for modification may be filed at the same time as a request for
 1349 registration, or later. The pleading must specify the grounds
 1350 for modification.

1351 Section 52. Section 88.6111, Florida Statutes, is amended
 1352 to read:

1353 88.6111 Modification of child support order of another
 1354 state.—

1355 (1) If s. 88.6131 does not apply, upon petition, a
 1356 tribunal of this state may modify ~~After~~ a child support order
 1357 issued in another state which is ~~has been~~ registered in this
 1358 state, ~~the responding tribunal of this state may modify that~~
 1359 ~~order only if, s. 88.6131 does not apply and after notice and~~
 1360 hearing, the tribunal ~~it~~ finds that:

1361 (a) The following requirements are met:

1362 1. Neither the child, nor the ~~individual~~ obligee who is an
 1363 individual, nor ~~and~~ the obligor resides ~~do not reside~~ in the
 1364 issuing state;

1365 2. A petitioner who is a nonresident of this state seeks
 1366 modification; and

1367 3. The respondent is subject to the personal jurisdiction
 1368 of the tribunal of this state; or

1369 (b) This state is the state of residence of the child, or
 1370 a party who is an individual, is subject to the personal

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1371 jurisdiction of the tribunal of this state and all of the
1372 parties who are individuals have filed ~~written~~ consents in a
1373 record in the issuing tribunal for a tribunal of this state to
1374 modify the support order and assume continuing exclusive
1375 jurisdiction ~~over the order. However, if the issuing state is a~~
1376 ~~foreign jurisdiction that has not enacted a law or established~~
1377 ~~procedures substantially similar to the procedures under this~~
1378 ~~act, the consent otherwise required of an individual residing in~~
1379 ~~this state is not required for the tribunal to assume~~
1380 ~~jurisdiction to modify the child support order.~~

1381 (2) Modification of a registered child support order is
1382 subject to the same requirements, procedures, and defenses that
1383 apply to the modification of an order issued by a tribunal of
1384 this state and the order may be enforced and satisfied in the
1385 same manner.

1386 (3) A tribunal of this state may not modify any aspect of
1387 a child support order that may not be modified under the law of
1388 the issuing state, including the duration of the obligation of
1389 support. If two or more tribunals have issued child support
1390 orders for the same obligor and same child, the order that
1391 controls and must be so recognized under s. 88.2071 establishes
1392 the aspects of the support order which are nonmodifiable.

1393 (4) In a proceeding to modify a child support order, the
1394 law of the state that is determined to have issued the initial
1395 controlling order governs the duration of the obligation of
1396 support. The obligor's fulfillment of the duty of support
1397 established by that order precludes imposition of a further
1398 obligation of support by a tribunal of this state.

1399 (5)~~(4)~~ On issuance of an order by a tribunal of this state
 1400 modifying a child support order issued in another state, the a
 1401 tribunal of this state becomes the tribunal of continuing
 1402 exclusive jurisdiction.

1403 (6) Notwithstanding subsections (1)-(5) and s. 88.2011(2),
 1404 a tribunal of this state retains jurisdiction to modify an order
 1405 issued by a tribunal of this state if:

- 1406 (a) One party resides in another state; and
- 1407 (b) The other party resides outside the United States.

1408 Section 53. Section 88.6121, Florida Statutes, is amended
 1409 to read:

1410 88.6121 Recognition of order modified in another state.—If
 1411 a child support order issued by a tribunal of this state is
 1412 modified shall recognize a modification of its earlier child
 1413 support order by a tribunal of another state which assumed
 1414 jurisdiction pursuant to the Uniform Interstate Family Support
 1415 Act, a tribunal of this state this act or a law substantially
 1416 similar to this act and, upon request, except as otherwise
 1417 provided in this act, shall:

1418 (1) May enforce the order that was modified only as to
 1419 arrears and interest amounts accruing before the modification.

1420 ~~(2) Enforce only nonmodifiable aspects of that order.~~

1421 (2)~~(3)~~ May provide ~~other~~ appropriate relief ~~only~~ for
 1422 violations of its that order which occurred before the effective
 1423 date of the modification.

1424 (3)~~(4)~~ Shall recognize the modifying order of the other
 1425 state, upon registration, for the purpose of enforcement.

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1426 Section 54. Section 88.6151, Florida Statutes, is created
 1427 to read:

1428 88.6151 Jurisdiction to modify child support order of
 1429 foreign country.-

1430 (1) Except as otherwise provided in s. 88.7111, if a
 1431 foreign country lacks or refuses to exercise jurisdiction to
 1432 modify its child support order pursuant to its laws, a tribunal
 1433 of this state may assume jurisdiction to modify the child
 1434 support order and bind all individuals subject to the personal
 1435 jurisdiction of the tribunal whether the consent to modification
 1436 of a child support order otherwise required of the individual
 1437 pursuant to s. 88.6111 has been given or whether the individual
 1438 seeking modification is a resident of this state or of the
 1439 foreign country.

1440 (2) An order issued by a tribunal of this state modifying
 1441 a foreign child support order pursuant to this section is the
 1442 controlling order.

1443 Section 55. Section 88.6161, Florida Statutes, is created
 1444 to read:

1445 88.6161 Procedure to register child support order of
 1446 foreign country for modification.-A party or support enforcement
 1447 agency seeking to modify, or to modify and enforce, a foreign
 1448 child support order not under the convention may register that
 1449 order in this state under ss. 88.6011-88.6081 if the order has
 1450 not been registered. A petition for modification may be filed at
 1451 the same time as a request for registration, or at another time.
 1452 The petition must specify the grounds for modification.

1453 Section 56. The Division of Statutory Revision is directed
 1454 to redesignate part VII of chapter 88, Florida Statutes, as
 1455 "SUPPORT PROCEEDING UNDER CONVENTION."

1456 Section 57. Section 88.7011, Florida Statutes, is
 1457 repealed.

1458 Section 58. Section 88.70111, Florida Statutes, is created
 1459 to read:

1460 88.70111 Definitions.—As used in this part, the term:

1461 (1) "Application" means a request under the convention by
 1462 an obligee or obligor, or on behalf of a child, made through a
 1463 central authority for assistance from another central authority.

1464 (2) "Central authority" means the entity designated by the
 1465 United States or a foreign country described in s. 88.102(5)(d)
 1466 to perform the functions specified in the convention.

1467 (3) "Convention support order" means a support order of a
 1468 tribunal of a foreign country described in s. 88.102(5)(d).

1469 (4) "Direct request" means a petition filed by an
 1470 individual in a tribunal of this state in a proceeding involving
 1471 an obligee, obligor, or child residing outside the United
 1472 States.

1473 (5) "Foreign central authority" means the entity
 1474 designated by a foreign country described in s. 88.102(5)(d) to
 1475 perform the functions specified in the convention.

1476 (6) "Foreign support agreement":

1477 (a) Means an agreement for support in a record that:

1478 1. Is enforceable as a support order in the country of
 1479 origin;

1480 2. Has been:

1481 a. Formally drawn up or registered as an authentic
 1482 instrument by a foreign tribunal; or
 1483 b. Authenticated by or concluded, registered, or filed
 1484 with a foreign tribunal; and
 1485 3. May be reviewed and modified by a foreign tribunal; and
 1486 (b) Includes a maintenance arrangement or authentic
 1487 instrument under the convention.
 1488 (7) "United States central authority" means the Secretary
 1489 of the United States Department of Health and Human Services.
 1490 Section 59. Section 88.7021, Florida Statutes, is created
 1491 to read:
 1492 88.7021 Applicability.—This part applies only to a support
 1493 proceeding under the convention. In such a proceeding, if a
 1494 provision of this part is inconsistent with parts I through VI,
 1495 this part controls.
 1496 Section 60. Section 88.7031, Florida Statutes, is created
 1497 to read:
 1498 88.7031 Relationship of Department of Revenue to United
 1499 States central authority.—The Department of Revenue is
 1500 recognized as the agency designated by the United States central
 1501 authority to perform specific functions under the convention.
 1502 Section 61. Section 88.7041, Florida Statutes, is created
 1503 to read:
 1504 88.7041 Initiation by Department of Revenue of support
 1505 proceeding subject to convention.—
 1506 (1) In a proceeding subject to the convention, the
 1507 Department of Revenue shall:
 1508 (a) Transmit and receive applications; and

1509 (b) Initiate or facilitate the institution of a proceeding
 1510 regarding an application in a tribunal of this state.

1511 (2) The following support proceedings are available to an
 1512 obligee under the convention:

1513 (a) Recognition or recognition and enforcement of a
 1514 foreign support order.

1515 (b) Enforcement of a support order issued or recognized in
 1516 this state.

1517 (c) Establishment of a support order if there is no
 1518 existing order, including, where necessary, determination of
 1519 parentage of a child.

1520 (d) Establishment of a support order if recognition of a
 1521 foreign support order is not possible or is refused because of
 1522 the lack of a basis for recognition and enforcement under s.
 1523 88.7081 or on grounds specified in s. 88.7091(2) or s.
 1524 88.7091(5).

1525 (e) Modification of a support order made by a tribunal of
 1526 this state.

1527 (f) Modification of a foreign support order.

1528 (3) The following support proceedings are available under
 1529 the convention to an obligor against whom there is an existing
 1530 support order:

1531 (a) Recognition of an order suspending or limiting
 1532 enforcement of an existing support order of a tribunal of this
 1533 state.

1534 (b) Modification of a support order of a tribunal of this
 1535 state.

1536 (c) Modification of a support order of a tribunal of
 1537 another state or foreign country.

1538 (4) A tribunal of this state may not require security,
 1539 bond, or deposit, however described, to guarantee the payment of
 1540 costs and expenses in proceedings under the convention.

1541 Section 62. Section 88.7051, Florida Statutes, is created
 1542 to read:

1543 88.7051 Direct request.—

1544 (1) A petitioner may file a direct request in a tribunal
 1545 of this state seeking the establishment or modification of a
 1546 support order or determination of parentage of a child. In such
 1547 a proceeding, the law of this state applies.

1548 (2) A petitioner may file a direct request in a tribunal
 1549 of this state seeking the recognition and enforcement of a
 1550 support order or support agreement. In such a proceeding, the
 1551 provisions of ss. 88.7061-88.7121 apply.

1552 (3) In a direct request for recognition and enforcement of
 1553 a foreign support order or agreement:

1554 (a) No security, bond, or deposit shall be required to
 1555 guarantee the payment of costs and expenses related to the
 1556 proceedings; and

1557 (b) The obligee or obligor, who in the issuing country has
 1558 benefited from free legal assistance, shall be entitled to
 1559 benefit, at least to the same extent, from any free legal
 1560 assistance provided for by the law of this state under the same
 1561 circumstances.

1562 (4) An individual filing directly to a tribunal will not
 1563 receive assistance from the Department of Revenue.

1564 (5) Nothing in this part prevents the application of laws
1565 of this state that provide simplified, more expeditious rules
1566 regarding a direct request for recognition and enforcement of a
1567 foreign support order or support agreement.

1568 Section 63. Section 88.7061, Florida Statutes, is created
1569 to read:

1570 88.7061 Registration of support order subject to
1571 convention.—

1572 (1) Except as otherwise provided in this part, a party who
1573 is an individual or a support enforcement agency seeking
1574 recognition of a foreign support order subject to the convention
1575 shall register the order in this state as provided in part VI of
1576 this chapter.

1577 (2) Notwithstanding ss. 88.3111 and 88.6021, a request for
1578 registration of a foreign support order subject to the
1579 convention shall be accompanied by the following:

1580 (a) A complete text of the support order, or an abstract
1581 or extract of the support order drawn up by the issuing foreign
1582 tribunal, which may be in the form recommended by the Hague
1583 Conference on Private International Law.

1584 (b) A record stating that the support order is enforceable
1585 in the issuing country.

1586 (c) If the respondent did not appear and was not
1587 represented in the proceedings in the issuing country, a record
1588 attesting, as appropriate, either that the respondent had proper
1589 notice of the proceedings and an opportunity to be heard, or
1590 that the respondent had proper notice of the support order and
1591 the opportunity to challenge or appeal it on fact and law.

1592 (d) If necessary, a record showing the amount of any
 1593 arrears, and the date the amount was calculated.

1594 (e) If necessary, a record showing a requirement for
 1595 automatic adjustment of the amount of support, if any, and the
 1596 information necessary to make the appropriate calculations.

1597 (f) If necessary, a record showing the extent to which the
 1598 applicant received free legal assistance in the issuing country.

1599 (3) A request for registration of a foreign support order
 1600 may seek recognition and partial enforcement of the order.

1601 (4) A tribunal of this state may refuse to register a
 1602 foreign support order only if recognition and enforcement of the
 1603 order is manifestly incompatible with public policy.

1604 (5) The tribunal shall promptly notify the parties of the
 1605 registration or the refusal to register a foreign support order.

1606 Section 64. Section 88.7071, Florida Statutes, is created
 1607 to read:

1608 88.7071 Contest of validity of foreign support order
 1609 subject to convention.—

1610 (1) Except as otherwise provided in this part, ss.
 1611 88.6051-88.6081 apply to a contest of the validity of a
 1612 registered foreign support order subject to the convention.

1613 (2) A party contesting the recognition and enforcement of
 1614 a registered foreign support order subject to the convention
 1615 must file a contest within 30 days after notice of the
 1616 registration unless the contesting party does not reside in the
 1617 United States or a state, in which case the contest must be
 1618 filed within 60 days after notice.

1619 (3) A contest of a registered foreign support order may be
 1620 based only on:

1621 (a) The authenticity or integrity of any record
 1622 transmitted in accordance with s. 88.7061;

1623 (b) The lack of a basis for enforcement under s. 88.7081;

1624 (c) The grounds for refusing enforcement under s. 88.7091;

1625 or

1626 (d) The payment in part or in whole of the alleged
 1627 arrears.

1628 (4) In a contest of the validity of a registered foreign
 1629 support order, a tribunal of this state:

1630 (a) Is bound by the findings of fact on which the foreign
 1631 tribunal based its jurisdiction; and

1632 (b) May not review the merits of the support order.

1633 (5) A tribunal of this state deciding a contest of the
 1634 validity of a registered foreign support order shall promptly
 1635 notify the parties of its decision.

1636 (6) An appeal, if any, does not stay the enforcement of a
 1637 foreign support order unless there are exceptional
 1638 circumstances.

1639 Section 65. Section 88.7081, Florida Statutes, is created
 1640 to read:

1641 88.7081 Recognition and enforcement of foreign support
 1642 order subject to convention.—

1643 (1) A tribunal of this state shall recognize and enforce a
 1644 foreign support order subject to the convention if:

1645 (a) The issuing tribunal had personal jurisdiction
 1646 consistent with s. 88.2011; and

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1647 (b) The order is enforceable in the issuing country.

1648 (2) If a tribunal of this state may not recognize a
1649 foreign support order because under similar facts the tribunal
1650 would not have had personal jurisdiction consistent with s.
1651 88.2011:

1652 (a) The tribunal must allow a reasonable time for a party
1653 to request the tribunal to establish a support order;

1654 (b) The tribunal may not use its refusal to recognize the
1655 foreign support order as a basis for dismissing the request;

1656 (c) The Department of Revenue shall take all appropriate
1657 measures to request a child support order for the obligee if the
1658 application for recognition and enforcement was received under
1659 s. 88.7041(1).

1660 (3) If a tribunal of this state may not recognize and
1661 enforce the whole of a foreign support order, it shall enforce
1662 any severable part of the order. An application or direct
1663 request may seek recognition and partial enforcement of a
1664 foreign support order.

1665 Section 66. Section 88.7091, Florida Statutes, is created
1666 to read:

1667 88.7091 Refusal of recognition and enforcement of foreign
1668 support order subject to convention.—A tribunal of this state
1669 may refuse recognition and enforcement of a foreign support
1670 order subject to the convention if:

1671 (1) Recognition and enforcement of the order is manifestly
1672 incompatible with public policy;

1673 (2) The order was obtained by fraud in connection with a
1674 matter of procedure;

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1675 (3) A proceeding between the same parties and having the
1676 same purpose is pending before a tribunal of this state and that
1677 proceeding was the first to be instituted;

1678 (4) The order is incompatible with a more recent support
1679 order issued between the same parties and having the same
1680 purpose if the more recent support order is entitled to
1681 recognition and enforcement in this state;

1682 (5) In a case in which the respondent neither appeared nor
1683 was represented in the proceeding in the issuing foreign country
1684 when the law of the country:

1685 (a) Provides for notice of proceedings, the respondent did
1686 not have proper notice of the proceedings and an opportunity to
1687 be heard; or

1688 (b) Does not provide for notice of the proceedings, the
1689 respondent did not have proper notice of the order and the
1690 opportunity to challenge or appeal it on fact and law; or

1691 (6) The order was made in violation of s. 88.7111.

1692 Section 67. Section 88.7101, Florida Statutes, is created
1693 to read:

1694 88.7101 Foreign support agreement subject to convention.-

1695 (1) Except as provided in subsections (3) and (4), a
1696 tribunal of this state shall recognize and enforce a foreign
1697 support agreement registered in this state.

1698 (2) An application or direct request for recognition and
1699 enforcement of a foreign support agreement shall be accompanied
1700 by the following:

1701 (a) A complete text of the foreign support agreement.

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1702 (b) A record stating that the foreign support agreement is
 1703 enforceable as a decision in the issuing country.

1704 (3) A tribunal of this state may refuse to register a
 1705 foreign support agreement only if registration is manifestly
 1706 incompatible with public policy.

1707 (4) A tribunal of this state may refuse recognition and
 1708 enforcement of a foreign support agreement if it finds:

1709 (a) Recognition and enforcement of the agreement is
 1710 manifestly incompatible with public policy;

1711 (b) The agreement was obtained by fraud or falsification;

1712 (c) The agreement is incompatible with a support order
 1713 issued between the same parties and having the same purpose,
 1714 either in this state, another state, or a foreign country if the
 1715 support order is entitled to recognition in this state; or

1716 (d) The record submitted under subsection (2) lacks
 1717 authenticity or integrity.

1718 (5) A proceeding for recognition and enforcement of a
 1719 foreign support agreement shall be suspended during the pendency
 1720 of a challenge to the agreement before a tribunal of another
 1721 state or foreign country.

1722 Section 68. Section 88.7111, Florida Statutes, is created
 1723 to read:

1724 88.7111 Modification of foreign child support order
 1725 subject to convention.—

1726 (1) A tribunal of this state may not modify a foreign
 1727 child support order if the obligee remains a resident of the
 1728 foreign country where the support order was issued unless:

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1729 (a) The obligee submits to the jurisdiction of a tribunal
 1730 of this state, either expressly or by defending on the merits of
 1731 the case without objecting to the jurisdiction at the first
 1732 available opportunity; or

1733 (b) The foreign tribunal lacks or refuses to exercise
 1734 jurisdiction to modify its support order or issue a new support
 1735 order.

1736 (2) If a tribunal of this state does not modify the
 1737 foreign child support order because the order may not be
 1738 recognized in this state, the provisions of s. 88.7081 apply.

1739 Section 69. Section 88.7121, Florida Statutes, is created
 1740 to read:

1741 88.7121 Jurisdiction to modify spousal support order of
 1742 foreign country.—A tribunal of this state with personal
 1743 jurisdiction over the parties may modify a spousal support order
 1744 of a foreign tribunal if:

1745 (1) The foreign tribunal lacks or refuses to exercise
 1746 jurisdiction to modify its order pursuant to its laws;

1747 (2) There is agreement in writing between the parties to
 1748 the jurisdiction of the tribunal of this state; or

1749 (3) The parties submit to the jurisdiction of the tribunal
 1750 of this state expressly or by defending on the merits without
 1751 objecting.

1752 Section 70. Paragraph (b) of subsection (2) of section
 1753 88.8011, Florida Statutes, is amended to read:

1754 88.8011 Grounds for rendition.—

1755 (2) The Governor of this state may:

1756 (b) On the demand of ~~by~~ the Governor of another state,

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1757 | surrender an individual found in this state who is charged
 1758 | criminally in the other state with having failed to provide for
 1759 | the support of an obligee.

1760 | Section 71. Section 88.9011, Florida Statutes, is amended
 1761 | to read:

1762 | 88.9011 Uniformity of application and construction.—In
 1763 | applying and construing this uniform act, consideration must be
 1764 | given to the need to promote uniformity of ~~This act shall be~~
 1765 | ~~applied and construed to effectuate its general purpose to make~~
 1766 | ~~uniform~~ the law with respect to its ~~the~~ subject matter ~~of this~~
 1767 | ~~act~~ among states that enact ~~enacting~~ it.

1768 | Section 72. Section 88.9031, Florida Statutes, is amended
 1769 | to read:

1770 | 88.9031 Severability ~~clause~~.—If any provision of this act
 1771 | or its application to any person or circumstance is held
 1772 | invalid, the invalidity does not affect other provisions or
 1773 | applications of this act which can be given effect without the
 1774 | invalid provision or application, and to this end the provisions
 1775 | of this act are severable.

1776 | Section 73. Paragraph (a) of subsection (7) of section
 1777 | 61.13, Florida Statutes, is amended to read:

1778 | 61.13 Support of children; parenting and time-sharing;
 1779 | powers of court.—

1780 | (7) (a) Each party to any paternity or support proceeding
 1781 | is required to file with the tribunal as defined in s.
 1782 | 88.1011~~(22)~~ and State Case Registry upon entry of an order, and
 1783 | to update as appropriate, information on location and identity
 1784 | of the party, including social security number, residential and

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1785 mailing addresses, telephone number, driver's license number,
1786 and name, address, and telephone number of employer. Each party
1787 to any paternity or child support proceeding in a non-Title IV-D
1788 case shall meet the above requirements for updating the tribunal
1789 and State Case Registry.

1790 Section 74. Paragraph (b) of subsection (5) of section
1791 827.06, Florida Statutes, is amended to read:

1792 827.06 Nonsupport of dependents.—

1793 (5)

1794 (b) The element of knowledge may be proven by evidence
1795 that a court or tribunal as defined by s. 88.1011~~(22)~~ has
1796 entered an order that obligates the defendant to provide the
1797 support.

1798 Section 75. Upon the passage of this bill, the Department
1799 of Revenue is directed to apply for a waiver from the Federal
1800 Office of Child Support Enforcement pursuant to the state plan
1801 requirement under Title IV-D of the Social Security Act.

1802 Section 76. This act shall take effect upon the earlier of
1803 90 days following Congress amending 42 U.S.C. s. 666(f) to allow
1804 or require states to adopt the 2008 version of the Uniform
1805 Interstate Family Support Act, or 90 days following the state
1806 obtaining a waiver of its state plan requirement under Title IV-
1807 D of the Social Security Act.