

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; creating s.

57 | 88.4021, F.S.; providing that certain tribunals of this
58 | state may serve as responding tribunals in proceedings to
59 | determine parentage of a child under certain provisions;
60 | providing a directive to the Division of Statutory
61 | Revision; amending s. 88.5011, F.S.; revising provisions
62 | relating to an employer's receipt of an income-withholding
63 | order from another state; amending ss. 88.50211, 88.5031,
64 | 88.5041, and 88.5051, F.S.; revising terminology; amending
65 | s. 88.5061, F.S.; revising provisions relating to a
66 | contest by obligor; amending s. 88.5071, F.S.; revising
67 | terminology; providing a directive to the Division of
68 | Statutory Revision; amending s. 88.6011, F.S.; revising
69 | terminology; amending s. 88.6021, F.S.; revising
70 | provisions relating to the procedure to register order for
71 | enforcement; amending s. 88.6031, F.S.; revising
72 | terminology; amending s. 88.6041, F.S.; revising
73 | provisions relating to choice of law; amending s. 88.6051,
74 | F.S.; revising provisions relating to notice of
75 | registration of order; amending s. 88.6061, F.S.; revising
76 | provisions relating to the procedure to contest the
77 | validity or enforcement of a registered order; amending s.
78 | 88.6071, F.S.; revising provisions relating to the
79 | contesting of registration or enforcement; amending s.
80 | 88.6081, F.S.; revising terminology; amending s. 88.6091,
81 | F.S.; correcting a cross-reference; amending s. 88.6111,
82 | F.S.; revising provisions relating to modification of a
83 | child support order of another state; amending s. 88.6121,
84 | F.S.; revising provisions relating to recognition of a

85 | child support order modified in another state; creating s.
86 | 88.6151, F.S.; providing for jurisdiction to modify a
87 | child support order of a foreign country; creating s.
88 | 88.6161, F.S.; providing procedures for registration of a
89 | child support order of a foreign country for modification;
90 | providing a directive to the Division of Statutory
91 | Revision; repealing s. 88.7011, F.S., relating to a
92 | proceeding to determine parentage of a child; creating s.
93 | 88.70111, F.S.; providing definitions relating to a
94 | support proceeding under the Convention on the
95 | International Recovery of Child Support and Other Forms of
96 | Family Maintenance; creating s. 88.7021, F.S.; providing
97 | for applicability; creating s. 88.7031, F.S.; specifying
98 | the relationship of the Department of Revenue to the
99 | United States central authority; creating s. 88.7041,
100 | F.S.; providing for initiation by the Department of
101 | Revenue of support proceedings under the convention;
102 | creating s. 88.7051, F.S.; providing for direct requests
103 | to tribunals; creating s. 88.7061, F.S.; providing for
104 | registration of convention support orders; creating s.
105 | 88.7071, F.S.; providing for contest of registered
106 | convention support orders; creating s. 88.7081, F.S.;
107 | providing for recognition and enforcement of registered
108 | convention support orders; creating s. 88.7091, F.S.;
109 | providing for partial enforcement of convention support
110 | orders; creating s. 88.7101, F.S.; providing requirements
111 | for a foreign support agreement; creating s. 88.7111,
112 | F.S.; providing for modification of convention child

113 support orders; creating s. 88.7121, F.S.; providing
114 limits on the personal use of certain information;
115 creating s. 88.7131, F.S.; requiring a record filed with a
116 tribunal of this state under specified provisions to be in
117 the original language and, if not in English, to be
118 accompanied by an English translation; amending s.
119 88.8011, F.S.; revising terminology; amending s. 88.9011,
120 F.S.; revising provisions relating to the uniformity of
121 application and construction of the act; creating s.
122 88.9021, F.S.; providing applicability; amending s.
123 88.9031, F.S.; revising terminology; amending ss. 61.13
124 and 827.06, F.S.; correcting cross-references; directing
125 the Department of Revenue to apply for a waiver; providing
126 a contingent effective date.

127
128 Be It Enacted by the Legislature of the State of Florida:

129
130 Section 1. Section 88.1011, Florida Statutes, is amended
131 to read:

132 88.1011 Definitions.—As used in this act:

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

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

140 (3) "Convention" means the Convention on the International

141 Recovery of Child Support and Other Forms of Family Maintenance,
 142 concluded at The Hague on November 23, 2007.

143 (4)-(3) "Duty of support" means an obligation imposed or
 144 imposable by law to provide support for a child, spouse, or
 145 former spouse, including an unsatisfied obligation to provide
 146 support.

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

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

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

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

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

159 (6) "Foreign support order" means a support order of a
 160 foreign tribunal.

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

166 (8)-(4) "Home state" means the state or foreign country in
 167 which a child lived with a parent or a person acting as parent
 168 for at least 6 consecutive months immediately preceding the time

169 of filing of a petition or comparable pleading for support and,
 170 if a child is less than 6 months old, the state or foreign
 171 country in which the child lived from birth with any of them. A
 172 period of temporary absence of any of them is counted as part of
 173 the 6-month or other period.

174 ~~(9)(5)~~ "Income" includes earnings or other periodic
 175 entitlements to money from any source and any other property
 176 subject to withholding for support under the law of this state.

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

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

188 ~~(11)(8)~~ "Initiating tribunal" means the authorized
 189 tribunal of a state or foreign country from which a petition or
 190 comparable pleading is forwarded or in which a petition or
 191 comparable pleading is filed for forwarding to another state or
 192 foreign country in an initiating state.

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

196 ~~(13)(9)~~ "Issuing state" means the state in which a

197 tribunal issues a support order or renders a judgment
 198 determining parentage of a child.

199 ~~(14)-(10)~~ "Issuing tribunal" means the tribunal of a state
 200 or foreign country that issues a support order or ~~renders~~ a
 201 judgment determining parentage of a child.

202 ~~(15)-(11)~~ "Law" includes decisional and statutory law and
 203 rules and regulations having the force of law.

204 ~~(16)-(12)~~ "Obligee" means:

205 (a) An individual to whom a duty of support is or is
 206 alleged to be owed or in whose favor a support order ~~has been~~
 207 ~~issued~~ or a judgment determining parentage of a child has been
 208 issued ~~rendered~~;

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

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

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

218 ~~(17)-(13)~~ "Obligor" means an individual, or the estate of a
 219 decedent that:

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

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

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

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

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

228 (19) "Person" means an individual, corporation, business
 229 trust, estate, trust, partnership, limited liability company,
 230 association, joint venture, public corporation, government, or
 231 governmental subdivision, agency, or instrumentality or any
 232 other legal or commercial entity.

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

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

243 (22)-(15) "Registering tribunal" means a tribunal in which
 244 a support order or judgment determining parentage of a child is
 245 registered.

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

253 ~~Revised Uniform Reciprocal Enforcement of Support Act.~~

254 ~~(24)-(17)~~ "Responding tribunal" means the authorized
 255 tribunal in a responding state or a foreign country.

256 ~~(25)-(18)~~ "Spousal-support order" means a support order for
 257 a spouse or former spouse of the obligor.

258 ~~(26)-(19)~~ "State" means a state of the United States, the
 259 District of Columbia, Puerto Rico, the United States Virgin
 260 Islands, or any territory or insular possession under ~~subject to~~
 261 the jurisdiction of the United States. The term includes:

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

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

269 ~~(27)-(20)~~ "Support enforcement agency" means a public
 270 official, governmental entity, or private agency authorized to
 271 ~~seek:~~

272 (a) Seek enforcement of support orders or laws relating to
 273 the duty of support;

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

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

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

277 (e) Request determination of the controlling child support
 278 order.

279 ~~(28)-(21)~~ "Support order" means a judgment, decree, ~~or~~
 280 order, decision, or directive, whether temporary, final, or

281 subject to modification, issued in a state or foreign country
 282 for the benefit of a child, a spouse, or a former spouse, which
 283 provides for monetary support, health care, arrearages,
 284 retroactive support, or reimbursement for financial assistance
 285 provided to an individual obligee in place of child support. The
 286 term, and may include related costs and fees, interest, income
 287 withholding, automatic adjustment, reasonable attorney's fees,
 288 and other relief.

289 ~~(29)-(22)~~ "Tribunal" means a court, administrative agency,
 290 or quasi-judicial entity authorized to establish, enforce, or
 291 modify support orders or to determine parentage of a child.

292 Section 2. Section 88.1021, Florida Statutes, is amended
 293 to read:

294 88.1021 ~~Tribunal of State~~ tribunal and support enforcement
 295 agency.—

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

299 (2) The Department of Revenue is the support enforcement
 300 agency of this state.

301 Section 3. Section 88.1031, Florida Statutes, is amended
 302 to read:

303 88.1031 Remedies cumulative.—

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

307 (2) This act does not:

308 (a) Provide the exclusive method of establishing or
 309 enforcing a support order under the law of this state; or
 310 (b) Grant a tribunal of this state jurisdiction to render
 311 judgment or issue an order relating to child custody or
 312 visitation in a proceeding under this act.

313 Section 4. Section 88.1041, Florida Statutes, is created
 314 to read:

315 88.1041 Application of act to resident of foreign country
 316 and foreign support proceeding.—

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

- 320 (a) A foreign support order;
- 321 (b) A foreign tribunal; or
- 322 (c) An obligee, obligor, or child residing in a foreign
 323 country.

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

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

332 Section 5. Section 88.2011, Florida Statutes, is amended
 333 to read:

334 88.2011 Bases for jurisdiction over nonresident.—

335 (1) In a proceeding to establish ~~or~~ enforce, ~~or modify~~ a

336 support order or to determine parentage of a child, a tribunal
337 of this state may exercise personal jurisdiction over a
338 nonresident individual or the individual's guardian or
339 conservator if:

340 (a)~~(1)~~ The individual is personally served with citation,
341 summons, or notice within this state;

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

346 (c)~~(3)~~ The individual resided with the child in this
347 state;

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

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

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

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

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

361 (2) The bases of personal jurisdiction set forth in
362 subsection (1) or in any other law of this state may not be used
363 to acquire personal jurisdiction for tribunal of this state to

364 modify a child support order of another state unless the
 365 requirements of s. 88.6111 are met, or, in the case of a foreign
 366 support order, unless the requirements of s. 88.6151 are met.

367 Section 6. Section 88.2021, Florida Statutes, is amended
 368 to read:

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

385 Section 7. Section 88.2031, Florida Statutes, is amended
 386 to read:

387 88.2031 Initiating and responding tribunal of state.—Under
 388 this act, a tribunal of this state may serve as an initiating
 389 tribunal to forward proceedings to a tribunal of another state
 390 and as a responding tribunal for proceedings initiated in
 391 another state or a foreign country.

392 Section 8. Section 88.2041, Florida Statutes, is amended
 393 to read:

394 88.2041 Simultaneous proceedings in another state.—

395 (1) A tribunal of this state may exercise jurisdiction to
 396 establish a support order if the petition or comparable pleading
 397 is filed after a petition or comparable pleading is filed in
 398 another state or a foreign country only if:

399 (a) The petition or comparable pleading in this state is
 400 filed before the expiration of the time allowed in the other
 401 state or the foreign country for filing a responsive pleading
 402 challenging the exercise of jurisdiction by the other state or
 403 the foreign country;

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

406 (c) If relevant, this state is the home state of the
 407 child.

408 (2) A tribunal of this state may not exercise jurisdiction
 409 to establish a support order if the petition or comparable
 410 pleading is filed before a petition or comparable pleading is
 411 filed in another state or a foreign country if:

412 (a) The petition or comparable pleading in the other state
 413 or the foreign country is filed before the expiration of the
 414 time allowed in this state for filing a responsive pleading
 415 challenging the exercise of jurisdiction by this state;

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

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

420 Section 9. Section 88.2051, Florida Statutes, is amended
 421 to read:

422 88.2051 Continuing exclusive jurisdiction.—

423 (1) A tribunal of this state that has issued ~~issuing~~ a
 424 child support order consistent with the law of this state has
 425 and shall exercise continuing, exclusive jurisdiction to modify
 426 its ~~over a~~ child support order if the order is the controlling
 427 order and:

428 (a) At the time of the filing of a request for
 429 modification, As long as this state is ~~remains~~ the residence of
 430 the obligor, the individual obligee, or the child for whose
 431 benefit the support order is issued; or

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

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

446 (a) All of the parties who are individuals file consent in
 447 a record with the tribunal of this state that a tribunal of

448 another state that has jurisdiction over at least one of the
 449 parties who is an individual or that is located in the state of
 450 residence of the child may modify the order and assume
 451 continuing, exclusive jurisdiction; or

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

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

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

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

462 ~~(c) Provide other appropriate relief for violations of~~
 463 ~~that order which occurred before the effective date of the~~
 464 ~~modification.~~

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

472 (4) A tribunal of this state that lacks continuing,
 473 exclusive jurisdiction to modify a child support order may serve
 474 as an initiating tribunal to request a tribunal of another state
 475 to modify a support order issued in that state.

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

479 ~~(6) A tribunal of this state issuing a support order~~
 480 ~~consistent with the law of this state has continuing exclusive~~
 481 ~~jurisdiction over a spousal support order throughout the~~
 482 ~~existence of the support obligation. A tribunal of this state~~
 483 ~~may not modify a spousal support order issued by a tribunal of~~
 484 ~~another state having continuing exclusive jurisdiction over that~~
 485 ~~order under the law of that state.~~

486 Section 10. Section 88.2061, Florida Statutes, is amended
 487 to read:

488 88.2061 ~~Enforcement and modification of support order by~~
 489 ~~tribunal having~~ Continuing jurisdiction to enforce child support
 490 order.—

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

495 (a) The order if the order is the controlling order and
 496 has not been modified by a tribunal of another state that
 497 assumed jurisdiction pursuant to the Uniform Interstate Family
 498 Support Act; or

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

502 (2) A tribunal of this state having continuing ~~exclusive~~
 503 jurisdiction over a support order may act as a responding

504 tribunal to enforce ~~or modify~~ the order. If a party subject to
 505 the continuing exclusive jurisdiction of the tribunal no longer
 506 resides in the issuing state, in subsequent proceedings the
 507 tribunal may apply s. 88.3161 (special rules of evidence and
 508 procedure) to receive evidence from another state and s. 88.3181
 509 (assistance with discovery) to obtain discovery through a
 510 tribunal of another state.

511 ~~(3) A tribunal of this state which lacks continuing~~
 512 ~~exclusive jurisdiction over a spousal support order may not~~
 513 ~~serve as a responding tribunal to modify a spousal support order~~
 514 ~~of another state.~~

515 Section 11. Section 88.2071, Florida Statutes, is amended
 516 to read:

517 88.2071 Determination ~~Recognition~~ of controlling child
 518 support order.—

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

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

531 (a) If only one of the tribunals would have continuing,

532 exclusive jurisdiction under this act, the order of that
533 tribunal controls ~~and must be so recognized~~.

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

536 1. An order issued by a tribunal in the current home state
537 of the child controls; or ~~and must be so recognized, but~~

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

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

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

559 (4) A request to determine which is the controlling order

560 must be accompanied by a copy of every child support order in
561 effect and the applicable record of payments. The requesting
562 party shall give notice of the request to each party whose
563 rights may be affected by the determination.

564 (5)(4) The tribunal that issued the controlling order
565 under subsection (1), subsection (2), or subsection (3) ~~is the~~
566 ~~tribunal that~~ has continuing, ~~exclusive~~ jurisdiction to the
567 extent provided in s. ~~under s.~~ 88.2051 or s. 88.2061.

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

573 (a) The basis upon which the tribunal made its
574 determination;

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

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

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

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

592 Section 12. Section 88.2081, Florida Statutes, is amended
 593 to read:

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

603 Section 13. Section 88.2091, Florida Statutes, is amended
 604 to read:

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

613 Section 14. Section 88.2101, Florida Statutes, is created
 614 to read:

615 88.2101 Application of act to nonresident subject to
616 personal jurisdiction.—A tribunal of this state exercising
617 personal jurisdiction over a nonresident in a proceeding under
618 this act, under another law of this state relating to a support
619 order, or recognizing a foreign support order may receive
620 evidence from outside this state pursuant to s. 88.3161,
621 communicate with a tribunal outside this state pursuant to s.
622 88.3171, and obtain discovery through a tribunal outside this
623 state pursuant to s. 88.3181. In all other respects, parts III
624 through VI of this chapter do not apply, and the tribunal shall
625 apply the procedural and substantive law of this state.

626 Section 15. Section 88.2111, Florida Statutes, is created
627 to read:

628 88.2111 Continuing, exclusive jurisdiction to modify
629 spousal support order.—

630 (1) A tribunal of this state issuing a spousal support
631 order consistent with the law of this state has continuing,
632 exclusive jurisdiction to modify the spousal support order
633 throughout the existence of the support obligation.

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

638 (3) A tribunal of this state that has continuing,
639 exclusive jurisdiction over a spousal support order may serve
640 as:

641 (a) An initiating tribunal to request a tribunal of
 642 another state to enforce the spousal support order issued in
 643 this state; or

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

646 Section 16. Section 88.3011, Florida Statutes, is amended
 647 to read:

648 88.3011 Proceedings under this act.—

649 (1) Except as otherwise provided in this act, this part
 650 article applies to all proceedings under this act.

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

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

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

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

658 ~~(d) Modification of an order for child support or spousal~~
 659 ~~support issued by a tribunal of this state pursuant to ss.~~
 660 ~~88.2031-88.2061;~~

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

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

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

666 (2)(3) An individual petitioner or a support enforcement
 667 agency may initiate ~~commence~~ a proceeding authorized under this
 668 act by filing a petition or a comparable pleading in an

669 initiating tribunal for forwarding to a responding tribunal or
 670 by filing a petition or a comparable pleading directly in a
 671 tribunal of another state or a foreign country which has or can
 672 obtain personal jurisdiction over the respondent.

673 Section 17. Section 88.3021, Florida Statutes, is amended
 674 to read:

675 88.3021 Proceeding ~~Action~~ by minor parent.—A minor parent,
 676 or a guardian or other legal representative of a minor parent,
 677 may maintain a proceeding on behalf of or for the benefit of the
 678 minor's child.

679 Section 18. Section 88.3031, Florida Statutes, is amended
 680 to read:

681 88.3031 Application of law of state.—Except as otherwise
 682 provided in ~~by~~ this act, a responding tribunal of this state
 683 shall:

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

689 (2) ~~Shall~~ Determine the duty of support and the amount
 690 payable in accordance with the law and support guidelines of
 691 this state.

692 Section 19. Section 88.3041, Florida Statutes, is amended
 693 to read:

694 88.3041 Duties of initiating tribunal.—

695 (1) Upon the filing of a petition or comparable pleading
 696 authorized by this act, an initiating tribunal of this state

697 shall forward ~~three copies~~ of the petition and its accompanying
 698 documents or a comparable pleading and its accompanying
 699 documents:

700 (a) To the responding tribunal or appropriate support
 701 enforcement agency in the responding state; or

702 (b) If the identity of the responding tribunal is unknown,
 703 to the state information agency of the responding state with a
 704 request that they be forwarded to the appropriate tribunal and
 705 that receipt be acknowledged.

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

718 Section 20. Section 88.3051, Florida Statutes, is amended
 719 to read:

720 88.3051 Duties and powers of responding tribunal.—

721 (1) When a responding tribunal of this state receives a
 722 petition or comparable pleading from an initiating tribunal or
 723 directly pursuant to s. 88.3011 (2) ~~(3)~~, it shall cause the
 724 petition or comparable pleading to be filed and notify the

725 petitioner where and when it was filed.

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

729 (a) Establish ~~Issue~~ or enforce a support order, modify a
730 child support order, determine the controlling child support
731 order, or ~~render a judgment to~~ determine parentage of a child.

732 (b) Order an obligor to comply with a support order,
733 specifying the amount and the manner of compliance.

734 (c) Order income withholding.

735 (d) Determine the amount of any arrearages, and specify a
736 method of payment.

737 (e) Enforce orders by civil or criminal contempt, or both.

738 (f) Set aside property for satisfaction of the support
739 order.

740 (g) Place liens and order execution on the obligor's
741 property.

742 (h) Order an obligor to keep the tribunal informed of the
743 obligor's current residential address, electronic mail address,
744 telephone number, employer, address of employment, and telephone
745 number at the place of employment.

746 (i) Issue a bench warrant, *capias*, or writ of bodily
747 attachment for an obligor who has failed after proper notice to
748 appear at a hearing ordered by the tribunal and enter the bench
749 warrant, *capias*, or writ of bodily attachment in any local and
750 state computer systems for criminal warrants.

751 (j) Order the obligor to seek appropriate employment by
752 specified methods.

753 (k) Award reasonable attorney's fees and other fees and
754 costs.

755 (1) Grant any other available remedy.

756 (3) A responding tribunal of this state shall include in a
757 support order issued under this act, or in the documents
758 accompanying the order, the calculations on which the support
759 order is based.

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

763 (5) If a responding tribunal of this state issues an order
764 under this act, the tribunal shall send a copy of the order to
765 the petitioner and the respondent and to the initiating
766 tribunal, if any.

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

773 Section 21. Section 88.3061, Florida Statutes, is amended
774 to read:

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

781 Section 22. Section 88.3071, Florida Statutes, is amended
 782 to read:

783 88.3071 Duties of support enforcement agency.—

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

786 (a) Shall provide services to a petitioner residing in a
 787 state;

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

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

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

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

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

802 (c) Make a reasonable effort to obtain all relevant
 803 information, including information as to income and property of
 804 the parties.

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

809 (e) Within 10 days, exclusive of Saturdays, Sundays, and
810 legal holidays, after receipt of a written communication from
811 the respondent or the respondent's attorney, send a copy of the
812 communication to the petitioner.

813 (f) Notify the petitioner if jurisdiction over the
814 respondent cannot be obtained.

815 (3) A support enforcement agency of this state that
816 requests registration of a child support order in this state for
817 enforcement or for modification shall make reasonable efforts:

818 (a) To ensure that the order to be registered is the
819 controlling order; or

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

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

830 (5) A support enforcement agency of this state shall issue
831 or request a tribunal of this state to issue a child support
832 order and an income-withholding order that redirect payment of
833 current support, arrears, and interest if requested to do so by
834 a support enforcement agency of another state pursuant to s.
835 88.3191.

836 (6)~~(3)~~ This act does not create or negate a relationship

837 of attorney and client or other fiduciary relationship between a
838 support enforcement agency or the attorney for the agency and
839 the individual being assisted by the agency.

840 Section 23. Section 88.3081, Florida Statutes, is amended
841 to read:

842 88.3081 Duty of Governor and Cabinet.—

843 (1) If the Governor and Cabinet determine that the support
844 enforcement agency is neglecting or refusing to provide services
845 to an individual, the Governor and Cabinet may order the agency
846 to perform its duties under this act or may provide those
847 services directly to the individual.

848 (2) The Governor and Cabinet may determine that a foreign
849 country has established a reciprocal arrangement for child
850 support with this state and take appropriate action for
851 notification of the determination.

852 Section 24. Paragraph (c) of subsection (2) of section
853 88.3101, Florida Statutes, is amended to read:

854 88.3101 Duties of state information agency.—

855 (2) The state information agency shall:

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

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

865 88.3111 Pleadings and accompanying documents.—
866 (1) In a proceeding under this act, a petitioner seeking
867 to establish ~~or modify~~ a support order, ~~or~~ to determine
868 parentage of a child, or to register and modify a support order
869 of a tribunal of another state or a foreign country ~~in a~~
870 ~~proceeding under this act~~ must file a ~~verify the~~ petition or
871 comparable pleading. Unless otherwise ordered under s. 88.3121
872 ~~(nondisclosure of information in exceptional circumstances),~~ the
873 petition or comparable pleading or the documents accompanying
874 either the petition or comparable pleading must provide, so far
875 as known, the name, residential address, and social security
876 numbers of the obligor and the obligee or the parent and alleged
877 parent, and the name, sex, residential address, social security
878 number, and date of birth of each child for whose benefit ~~whom~~
879 support is sought or whose parentage of a child is to be
880 determined. Unless filed at the time of registration, the
881 petition must be accompanied by a ~~certified~~ copy of any support
882 order known to have been issued by another tribunal ~~in effect.~~
883 The petition may include any other information that may assist
884 in locating or identifying the respondent.

885 Section 26. Section 88.3121, Florida Statutes, is amended
886 to read:

887 88.3121 Nondisclosure of information in exceptional
888 circumstances.—If a party alleges in an affidavit or a pleading
889 under oath that the health, safety, or liberty of a party or
890 child would be jeopardized by disclosure of specific identifying
891 information, that information must be sealed and may not be
892 disclosed to the other party or the public. After a hearing in

893 which a tribunal takes into consideration the health, safety, or
894 liberty of the party or child, the tribunal may order disclosure
895 of information that the tribunal determines to be in the
896 interest of justice ~~Upon a finding, which may be made ex parte,~~
897 ~~that the health, safety, or liberty of a party or child would be~~
898 ~~unreasonably put at risk by the disclosure of identifying~~
899 ~~information, or if an existing order so provides, a tribunal~~
900 ~~shall order that the address of the child or party or other~~
901 ~~identifying information not be disclosed in a pleading or other~~
902 ~~document filed in a proceeding under this act.~~

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

905 88.3131 Costs and fees.—

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

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

919 88.3141 Limited immunity of petitioner.—

920 (1) Participation by a petitioner in a proceeding under

921 this act before a responding tribunal, whether in person, by
 922 private attorney, or through services provided by the support
 923 enforcement agency, does not confer personal jurisdiction over
 924 the petitioner in another proceeding.

925 (3) The immunity granted by this section does not extend
 926 to civil litigation based on acts unrelated to a proceeding
 927 under this act committed by a party while physically present in
 928 this state to participate in the proceeding.

929 Section 29. Section 88.3161, Florida Statutes, is amended
 930 to read:

931 88.3161 Special rules of evidence and procedure.—

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

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

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

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

955 (5) Documentary evidence transmitted from outside this
956 ~~another~~ state to a tribunal of this state by telephone,
957 telecopier, or other electronic means that do not provide an
958 original record ~~writing~~ may not be excluded from evidence on an
959 objection based on the means of transmission.

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

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

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

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

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

979 Section 30. Section 88.3171, Florida Statutes, is amended
 980 to read:

981 88.3171 Communications between tribunals.—A tribunal of
 982 this state may communicate with a tribunal outside this ~~of~~
 983 ~~another~~ state in a record writing, or by telephone, electronic
 984 mail, or other means, to obtain information concerning the laws
 985 of that state, the legal effect of a judgment, decree, or order
 986 of that tribunal, and the status of a proceeding ~~in the other~~
 987 ~~state~~. A tribunal of this state may furnish similar information
 988 by similar means to a tribunal outside this ~~of another~~ state.

989 Section 31. Section 88.3181, Florida Statutes, is amended
 990 to read:

991 88.3181 Assistance with discovery.—A tribunal of this
 992 state may:

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

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

998 Section 32. Section 88.3191, Florida Statutes, is amended
 999 to read:

1000 88.3191 Receipt and disbursement of payments.—

1001 (1) A support enforcement agency or tribunal of this state
 1002 shall disburse promptly any amounts received pursuant to a
 1003 support order, as directed by the order. The agency or tribunal
 1004 shall furnish to a requesting party or tribunal of another state

1005 or a foreign country a certified statement by the custodian of
 1006 the record of the amounts and dates of all payments received.

1007 (2) If neither the obligor, nor the obligee who is an
 1008 individual, nor the child resides in this state, upon request
 1009 from the support enforcement agency of this state or another
 1010 state, the support enforcement agency of this state or a
 1011 tribunal of this state shall:

1012 (a) Direct that the support payment be made to the support
 1013 enforcement agency in the state in which the obligee is
 1014 receiving services; and

1015 (b) Issue and send to the obligor's employer a conforming
 1016 income-withholding order or an administrative notice of change
 1017 of payee, reflecting the redirected payments.

1018 (3) The support enforcement agency of this state receiving
 1019 redirected payments from another state pursuant to a law similar
 1020 to subsection (2) shall furnish to a requesting party or
 1021 tribunal of the other state a certified statement by the
 1022 custodian of the record of the amount and dates of all payments
 1023 received.

1024 Section 33. Section 88.4011, Florida Statutes, is amended
 1025 to read:

1026 88.4011 Establishment of ~~Petition to establish~~ support
 1027 order.-

1028 (1) If a support order entitled to recognition under this
 1029 act has not been issued, a responding tribunal of this state
 1030 with personal jurisdiction over the parties may issue a support
 1031 order if:

1032 (a) The individual seeking the order resides outside this

1033 ~~in another~~ state; or

1034 (b) The support enforcement agency seeking the order is
 1035 located outside this ~~in another~~ state.

1036 (2) The tribunal may issue a temporary child support order
 1037 if the tribunal determines that such an order is appropriate and
 1038 the individual ordered to pay is:

1039 (a) A presumed father of the child;

1040 (b) Petitioning to have his paternity adjudicated;

1041 (c) Identified as the father of the child through genetic
 1042 testing;

1043 (d) An alleged father who has declined to submit to
 1044 genetic testing;

1045 (e) Shown by clear and convincing evidence to be the
 1046 father of the child;

1047 (f) An acknowledged father as provided in s. 382.013, s.
 1048 382.016, or s. 742.10;

1049 (g) The mother of the child; or

1050 (h) An individual who has been ordered to pay child
 1051 support in a previous proceeding and the order has not been
 1052 reversed or vacated

1053 ~~(a) The respondent has signed a verified statement~~
 1054 ~~acknowledging parentage;~~

1055 ~~(b) The respondent has been determined by or pursuant to~~
 1056 ~~law to be the parent; or~~

1057 ~~(c) There is other clear and convincing evidence that the~~
 1058 ~~respondent is the child's parent.~~

1059 (3) Upon finding, after notice and opportunity to be
 1060 heard, that an obligor owes a duty of support, the tribunal

1061 shall issue a support order directed to the obligor and may
 1062 issue other orders pursuant to s. 88.3051.

1063 Section 34. Section 88.4021, Florida Statutes, is created
 1064 to read:

1065 88.4021 Proceeding to determine parentage.—A tribunal of
 1066 this state authorized to determine parentage of a child may
 1067 serve as a responding tribunal in a proceeding to determine
 1068 parentage of a child brought under this act or a law or
 1069 procedure substantially similar to this act.

1070 Section 35. The Division of Statutory Revision is directed
 1071 to redesignate part V of chapter 88, Florida Statutes, as
 1072 "ENFORCEMENT OF SUPPORT ORDER OF ANOTHER STATE WITHOUT
 1073 REGISTRATION."

1074 Section 36. Section 88.5011, Florida Statutes, is amended
 1075 to read:

1076 88.5011 Employer's receipt of income-withholding order of
 1077 another state.—An income-withholding order issued in another
 1078 state may be sent by or on behalf of the obligee, or by the
 1079 support enforcement agency, to the person ~~or entity~~ defined as
 1080 the obligor's employer under the income deduction law of this
 1081 state or payor as defined by s. 61.046, without first filing a
 1082 petition or comparable pleading or registering the order with a
 1083 tribunal of this state.

1084 Section 37. Paragraph (b) of subsection (3) of section
 1085 88.50211, Florida Statutes, is amended to read:

1086 88.50211 Employer's compliance with income-withholding
 1087 order of another state.—

1088 (3) Except as otherwise provided by subsection (4) and s.

1089 88.5031, the employer shall withhold and distribute the funds as
 1090 directed in the withholding order by complying with the terms of
 1091 the order which specify:

1092 (b) The person ~~or agency~~ designated to receive payments
 1093 and the address to which the payments are to be forwarded;

1094 Section 38. Section 88.5031, Florida Statutes, is amended
 1095 to read:

1096 88.5031 Employer's compliance with two or more ~~multiple~~
 1097 income-withholding orders.—If the obligor's employer receives
 1098 two or more ~~multiple~~ income-withholding orders with respect to
 1099 the earnings of the same obligor, the employer satisfies the
 1100 terms of the ~~multiple~~ orders if the employer complies with the
 1101 law of the state of the obligor's principal place of employment
 1102 to establish the priorities for withholding and allocating
 1103 income withheld for two or more ~~multiple~~ child support obligees.

1104 Section 39. Section 88.5041, Florida Statutes, is amended
 1105 to read:

1106 88.5041 Immunity from civil liability.—An employer that
 1107 ~~who~~ complies with an income-withholding order issued in another
 1108 state in accordance with this article is not subject to civil
 1109 liability to an individual or agency with regard to the
 1110 employer's withholding of child support from the obligor's
 1111 income.

1112 Section 40. Section 88.5051, Florida Statutes, is amended
 1113 to read:

1114 88.5051 Penalties for noncompliance.—An employer that ~~who~~
 1115 willfully fails to comply with an income-withholding order
 1116 issued by another state and received for enforcement is subject

1117 to the same penalties that may be imposed for noncompliance with
 1118 an order issued by a tribunal of this state.

1119 Section 41. Section 88.5061, Florida Statutes, is amended
 1120 to read:

1121 88.5061 Contest by obligor.—

1122 (1) An obligor may contest the validity or enforcement of
 1123 an income-withholding order issued in another state and received
 1124 directly by an employer in this state by registering the order
 1125 in a tribunal of this state and filing a contest to that order
 1126 as provided in part VI of this chapter, or otherwise contesting
 1127 the order in the same manner as if the order had been issued by
 1128 a tribunal of this state. ~~Section 88.6041, choice of law,~~
 1129 ~~applies to the contest.~~

1130 (2) The obligor shall give notice of the contest to:

1131 (a) A support enforcement agency providing services to the
 1132 obligee;

1133 (b) Each employer that has directly received an income-
 1134 withholding order relating to the obligor; and

1135 (c) The person ~~or agency~~ designated to receive payments in
 1136 the income-withholding order, or if no person ~~or agency~~ is
 1137 designated, to the obligee.

1138 Section 42. Subsection (1) of section 88.5071, Florida
 1139 Statutes, is amended to read:

1140 88.5071 Administrative enforcement of orders.—

1141 (1) A party or support enforcement agency seeking to
 1142 enforce a support order or an income-withholding order, or both,
 1143 issued in ~~by a tribunal of~~ another state or a foreign support
 1144 order may send the documents required for registering the order

1145 to a support enforcement agency of this state.

1146 Section 43. (1) The Division of Statutory Revision is
 1147 directed to redesignate part VI of chapter 88, Florida Statutes,
 1148 as "REGISTRATION, ENFORCEMENT, AND MODIFICATION OF SUPPORT
 1149 ORDER."

1150 (2) The Division of Statutory Revision is directed to
 1151 divide part VI of chapter 88, Florida Statutes, into subpart A,
 1152 consisting of ss. 88.6011-88.6041, Florida Statutes, to be
 1153 entitled "Registration and Enforcement of Support Order;"
 1154 subpart B, consisting of ss. 88.6051-88.6081, Florida Statutes,
 1155 to be entitled "Contest of Validity or Enforcement;" subpart C,
 1156 consisting of ss. 88.6091-88.6141, Florida Statutes, to be
 1157 entitled "Registration and Modification of Child Support Order
 1158 of Another State;" and subpart D, consisting of ss. 88.6151 and
 1159 88.6161, Florida Statutes, to be entitled "Registration and
 1160 Modification of Foreign Child Support Order."

1161 Section 44. Section 88.6011, Florida Statutes, is amended
 1162 to read:

1163 88.6011 Registration of order for enforcement.—A support
 1164 order or an income-withholding order issued in ~~by a tribunal of~~
 1165 another state or a foreign support order may be registered in
 1166 this state for enforcement.

1167 Section 45. Section 88.6021, Florida Statutes, is amended
 1168 to read:

1169 88.6021 Procedure to register order for enforcement.—

1170 (1) Except as otherwise provided in s. 88.7061, a support
 1171 order or income-withholding order of another state or a foreign
 1172 support order may be registered in this state by sending the

1173 following records ~~documents and information~~ to the appropriate
 1174 tribunal in this state:

1175 (a) A letter of transmittal to the tribunal requesting
 1176 registration and enforcement.

1177 (b) Two copies, including one certified copy, of the order
 1178 ~~all orders~~ to be registered, including any modification of the
 1179 ~~an~~ order.

1180 (c) A sworn statement by the person requesting party
 1181 ~~seeking~~ registration or a certified statement by the custodian
 1182 of the records showing the amount of any arrearage.

1183 (d) The name of the obligor and, if known:

1184 1. The obligor's address and social security number.

1185 2. The name and address of the obligor's employer and any
 1186 other source of income of the obligor.

1187 3. A description and the location of property of the
 1188 obligor in this state not exempt from execution.

1189 (e) Except as otherwise provided in s. 88.3121, the name
 1190 and address of the obligee and, if applicable, the ~~agency or~~
 1191 person to whom support payments are to be remitted.

1192 (2) On receipt of a request for registration, the
 1193 registering tribunal shall cause the order to be filed as an
 1194 order of a tribunal of another state or a foreign support order
 1195 ~~a foreign judgment~~, together with one copy of the documents and
 1196 information, regardless of their form.

1197 (3) A petition or comparable pleading seeking a remedy
 1198 that must be affirmatively sought under other law of this state
 1199 may be filed at the same time as the request for registration or
 1200 later. The pleading must specify the grounds for the remedy

1201 sought.

1202 (4) If two or more orders are in effect, the person

1203 requesting registration shall:

1204 (a) Furnish to the tribunal a copy of every support order

1205 asserted to be in effect in addition to the documents specified

1206 in this section;

1207 (b) Specify the order alleged to be the controlling order,

1208 if any; and

1209 (c) Specify the amount of consolidated arrears, if any.

1210 (5) A request for a determination of which is the

1211 controlling order may be filed separately or with a request for

1212 registration and enforcement or for registration and

1213 modification. The person requesting registration shall give

1214 notice of the request to each party whose rights may be affected

1215 by the determination.

1216 Section 46. Section 88.6031, Florida Statutes, is amended

1217 to read:

1218 88.6031 Effect of registration for enforcement.—

1219 (1) A support order or income-withholding order issued in

1220 another state or a foreign support order is registered when the

1221 order is filed in the registering tribunal of this state.

1222 (2) A registered support order issued in another state or

1223 a foreign country is enforceable in the same manner and is

1224 subject to the same procedures as an order issued by a tribunal

1225 of this state.

1226 (3) Except as otherwise provided in this act ~~article~~, a

1227 tribunal of this state shall recognize and enforce, but may not

1228 modify, a registered support order if the issuing tribunal had

1229 jurisdiction.

1230 Section 47. Section 88.6041, Florida Statutes, is amended
1231 to read:

1232 88.6041 Choice of law.—

1233 (1) Except as otherwise provided in subsection (4), the
1234 law of the issuing state or foreign country governs:

1235 (a) The nature, extent, amount, and duration of current
1236 payments under a registered support order; and other obligations
1237 of support and

1238 (b) The computation and payment of arrearages and accrual
1239 of interest on the arrearages under the order; and

1240 (c) The existence and satisfaction of other obligations
1241 under the support order.

1242 (2) In a proceeding for arrears under a registered support
1243 order arrearages, the statute of limitation ~~under the laws of~~
1244 this state or of the issuing state or foreign country, whichever
1245 is longer, applies.

1246 (3) A responding tribunal of this state shall apply the
1247 procedures and remedies of this state to enforce current support
1248 and collect arrears and interest due on a support order of
1249 another state or foreign country registered in this state.

1250 (4) After a tribunal of this or another state determines
1251 which is the controlling order and issues an order consolidating
1252 arrears, if any, a tribunal of this state shall prospectively
1253 apply the law of the state or foreign country issuing the
1254 controlling order, including its law on interest on arrears, on
1255 current and future support, and on consolidated arrears.

1256 Section 48. Section 88.6051, Florida Statutes, is amended
 1257 to read:

1258 88.6051 Notice of registration of order.—

1259 (1) When a support order or income-withholding order
 1260 issued in another state or a foreign support order is
 1261 registered, the registering tribunal of this state shall notify
 1262 the nonregistering party. The notice must be accompanied by a
 1263 copy of the registered order and the documents and relevant
 1264 information accompanying the order.

1265 (2) A ~~The~~ notice must inform the nonregistering party:

1266 (a) That a registered order is enforceable as of the date
 1267 of registration in the same manner as an order issued by a
 1268 tribunal of this state.

1269 (b) That a hearing to contest the validity or enforcement
 1270 of the registered order must be requested within 20 days after
 1271 the date of mailing or personal service of the notice, unless
 1272 the registered order is under s. 88.7071.

1273 (c) That failure to contest the validity or enforcement of
 1274 the registered order in a timely manner will result in
 1275 confirmation of the order and enforcement of the order and the
 1276 alleged arrearages and precludes further contest of that order
 1277 with respect to any matter that could have been asserted.

1278 (d) Of the amount of any alleged arrearages.

1279 (3) If the registering party asserts that two or more
 1280 orders are in effect, a notice must also:

1281 (a) Identify the two or more orders and the order alleged
 1282 by the registering party to be the controlling order and the
 1283 consolidated arrears, if any;

1284 (b) Notify the nonregistering party of the right to a
 1285 determination of which is the controlling order;

1286 (c) State that the procedures provided in subsection (2)
 1287 apply to the determination of which is the controlling order;
 1288 and

1289 (d) State that failure to contest the validity or
 1290 enforcement of the order alleged to be the controlling order in
 1291 a timely manner may result in confirmation that the order is the
 1292 controlling order.

1293 (4)(3) Upon registration of an income-withholding order
 1294 for enforcement, the support enforcement agency or the
 1295 registering tribunal shall notify the obligor's employer
 1296 pursuant to chapter 61 or other income deduction law of this
 1297 state.

1298 Section 49. Subsections (1) and (2) of section 88.6061,
 1299 Florida Statutes, are amended to read:

1300 88.6061 Procedure to contest validity or enforcement of
 1301 registered order.—

1302 (1) A nonregistering party seeking to contest the validity
 1303 or enforcement of a registered order in this state shall request
 1304 a hearing within the time required by s. 88.6051 ~~20 days after~~
 1305 ~~notice of the registration~~. The nonregistering party may seek to
 1306 vacate the registration, to assert any defense to an allegation
 1307 of noncompliance with the registered order, or to contest the
 1308 remedies being sought or the amount of any alleged arrearages
 1309 pursuant to s. 88.6071.

1310 (2) If the nonregistering party fails to contest the
 1311 validity or enforcement of the registered support order in a

1312 | timely manner, the order is confirmed by operation of law.
 1313 | Section 50. Section 88.6071, Florida Statutes, is amended
 1314 | to read:
 1315 | 88.6071 Contest of registration or enforcement.—
 1316 | (1) A party contesting the validity or enforcement of a
 1317 | registered support order or seeking to vacate the registration
 1318 | has the burden of proving one or more of the following defenses:
 1319 | (a) The issuing tribunal lacked personal jurisdiction over
 1320 | the contesting party;
 1321 | (b) The order was obtained by fraud;
 1322 | (c) The order has been vacated, suspended, or modified by
 1323 | a later order;
 1324 | (d) The issuing tribunal has stayed the order pending
 1325 | appeal;
 1326 | (e) There is a defense under the law of this state to the
 1327 | remedy sought;
 1328 | (f) Full or partial payment has been made; ~~or~~
 1329 | (g) The statute of limitation under s. 88.6041 precludes
 1330 | enforcement of some or all of the alleged arrearages; or
 1331 | (h) The alleged controlling order is not the controlling
 1332 | order.
 1333 | (2) If a party presents evidence establishing a full or
 1334 | partial defense under subsection (1), a tribunal may stay
 1335 | enforcement of a ~~the~~ registered support order, continue the
 1336 | proceeding to permit production of additional relevant evidence,
 1337 | and issue other appropriate orders. An uncontested portion of
 1338 | the registered support order may be enforced by all remedies
 1339 | available under the law of this state.

1340 (3) If the contesting party does not establish a defense
 1341 under subsection (1) to the validity or enforcement of a
 1342 registered support ~~the~~ order, the registering tribunal shall
 1343 issue an order confirming the order.

1344 Section 51. Section 88.6081, Florida Statutes, is amended
 1345 to read:

1346 88.6081 Confirmed order.—Confirmation of a registered
 1347 support order, whether by operation of law or after notice and
 1348 hearing, precludes further contest of the order with respect to
 1349 any matter that could have been asserted at the time of
 1350 registration.

1351 Section 52. Section 88.6091, Florida Statutes, is amended
 1352 to read:

1353 88.6091 Procedure to register child support order of
 1354 another state for modification.—A party or support enforcement
 1355 agency seeking to modify, or to modify and enforce, a child
 1356 support order issued in another state shall register that order
 1357 in this state in the same manner provided in ss. 88.6011-88.6081
 1358 ~~88.6011-88.6041~~ if the order has not been registered. A petition
 1359 for modification may be filed at the same time as a request for
 1360 registration, or later. The pleading must specify the grounds
 1361 for modification.

1362 Section 53. Section 88.6111, Florida Statutes, is amended
 1363 to read:

1364 88.6111 Modification of child support order of another
 1365 state.—

1366 (1) If s. 88.6131 does not apply, upon petition, a
 1367 tribunal of this state may modify ~~After~~ a child support order

1368 issued in another state which is ~~has been~~ registered in this
 1369 state, ~~the responding tribunal of this state may modify that~~
 1370 ~~order only if, s. 88.6131 does not apply and~~ after notice and
 1371 hearing, the tribunal ~~it~~ finds that:

1372 (a) The following requirements are met:

1373 1. Neither the child, nor the ~~individual~~ obligee who is an
 1374 individual, nor ~~and~~ the obligor resides ~~do not reside~~ in the
 1375 issuing state;

1376 2. A petitioner who is a nonresident of this state seeks
 1377 modification; and

1378 3. The respondent is subject to the personal jurisdiction
 1379 of the tribunal of this state; or

1380 (b) This state is the state of residence of the child, or
 1381 a party who is an individual, is subject to the personal
 1382 jurisdiction of the tribunal of this state and all of the
 1383 parties who are individuals have filed ~~written~~ consents in a
 1384 record in the issuing tribunal for a tribunal of this state to
 1385 modify the support order and assume continuing exclusive
 1386 jurisdiction ~~over the order. However, if the issuing state is a~~
 1387 ~~foreign jurisdiction that has not enacted a law or established~~
 1388 ~~procedures substantially similar to the procedures under this~~
 1389 ~~act, the consent otherwise required of an individual residing in~~
 1390 ~~this state is not required for the tribunal to assume~~
 1391 ~~jurisdiction to modify the child support order.~~

1392 (2) Modification of a registered child support order is
 1393 subject to the same requirements, procedures, and defenses that
 1394 apply to the modification of an order issued by a tribunal of
 1395 this state and the order may be enforced and satisfied in the

1396 same manner.

1397 (3) A tribunal of this state may not modify any aspect of
 1398 a child support order that may not be modified under the law of
 1399 the issuing state, including the duration of the obligation of
 1400 support. If two or more tribunals have issued child support
 1401 orders for the same obligor and same child, the order that
 1402 controls and must be so recognized under s. 88.2071 establishes
 1403 the aspects of the support order which are nonmodifiable.

1404 (4) In a proceeding to modify a child support order, the
 1405 law of the state that is determined to have issued the initial
 1406 controlling order governs the duration of the obligation of
 1407 support. The obligor's fulfillment of the duty of support
 1408 established by that order precludes imposition of a further
 1409 obligation of support by a tribunal of this state.

1410 (5)~~(4)~~ On issuance of an order by a tribunal of this state
 1411 modifying a child support order issued in another state, the a
 1412 tribunal of this state becomes the tribunal of continuing
 1413 exclusive jurisdiction.

1414 (6) Notwithstanding subsections (1)-(5) and s. 88.2011(2),
 1415 a tribunal of this state retains jurisdiction to modify an order
 1416 issued by a tribunal of this state if:

1417 (a) One party resides in another state; and

1418 (b) The other party resides outside the United States.

1419 Section 54. Section 88.6121, Florida Statutes, is amended
 1420 to read:

1421 88.6121 Recognition of order modified in another state.—If
 1422 a child support order issued by a tribunal of this state is
 1423 modified shall recognize a modification of its earlier child

1424 ~~support order~~ by a tribunal of another state which assumed
 1425 jurisdiction pursuant to the Uniform Interstate Family Support
 1426 Act, a tribunal of this state ~~this act or a law substantially~~
 1427 ~~similar to this act and, upon request, except as otherwise~~
 1428 ~~provided in this act, shall:~~

1429 (1) May enforce the order that was modified only as to
 1430 arrears and interest amounts accruing before the modification.

1431 ~~(2) Enforce only nonmodifiable aspects of that order.~~

1432 ~~(2)(3)~~ May provide ~~other~~ appropriate relief ~~only~~ for
 1433 violations of its ~~that~~ order which occurred before the effective
 1434 date of the modification.

1435 ~~(3)(4)~~ Shall recognize the modifying order of the other
 1436 state, upon registration, for the purpose of enforcement.

1437 Section 55. Section 88.6151, Florida Statutes, is created
 1438 to read:

1439 88.6151 Jurisdiction to modify child support order of
 1440 foreign country.-

1441 (1) Except as otherwise provided in s. 88.7111, if a
 1442 foreign country lacks or refuses to exercise jurisdiction to
 1443 modify its child support order pursuant to its laws, a tribunal
 1444 of this state may assume jurisdiction to modify the child
 1445 support order and bind all individuals subject to the personal
 1446 jurisdiction of the tribunal whether the consent to modification
 1447 of a child support order otherwise required of the individual
 1448 pursuant to s. 88.6111 has been given or whether the individual
 1449 seeking modification is a resident of this state or of the
 1450 foreign country.

1451 (2) An order issued by a tribunal of this state modifying
1452 a foreign child support order pursuant to this section is the
1453 controlling order.

1454 Section 56. Section 88.6161, Florida Statutes, is created
1455 to read:

1456 88.6161 Procedure to register child support order of
1457 foreign country for modification.—A party or support enforcement
1458 agency seeking to modify, or to modify and enforce, a foreign
1459 child support order not under the convention may register that
1460 order in this state under ss. 88.6011-88.6081 if the order has
1461 not been registered. A petition for modification may be filed at
1462 the same time as a request for registration, or at another time.
1463 The petition must specify the grounds for modification.

1464 Section 57. The Division of Statutory Revision is directed
1465 to redesignate part VII of chapter 88, Florida Statutes, as
1466 "SUPPORT PROCEEDING UNDER CONVENTION."

1467 Section 58. Section 88.7011, Florida Statutes, is
1468 repealed.

1469 Section 59. Section 88.70111, Florida Statutes, is created
1470 to read:

1471 88.70111 Definitions.—As used in this part, the term:

1472 (1) "Application" means a request under the convention by
1473 an obligee or obligor, or on behalf of a child, made through a
1474 central authority for assistance from another central authority.

1475 (2) "Central authority" means the entity designated by the
1476 United States or a foreign country described in s. 88.1011(5)(d)
1477 to perform the functions specified in the convention.

1478 (3) "Convention support order" means a support order of a

1479 tribunal of a foreign country described in s. 88.1011(5)(d).

1480 (4) "Direct request" means a petition filed by an
 1481 individual in a tribunal of this state in a proceeding involving
 1482 an obligee, obligor, or child residing outside the United
 1483 States.

1484 (5) "Foreign central authority" means the entity
 1485 designated by a foreign country described in s. 88.1011(5)(d) to
 1486 perform the functions specified in the convention.

1487 (6) "Foreign support agreement":

1488 (a) Means an agreement for support in a record that:

1489 1. Is enforceable as a support order in the country of
 1490 origin;

1491 2. Has been:

1492 a. Formally drawn up or registered as an authentic
 1493 instrument by a foreign tribunal; or

1494 b. Authenticated by or concluded, registered, or filed
 1495 with a foreign tribunal; and

1496 3. May be reviewed and modified by a foreign tribunal; and

1497 (b) Includes a maintenance arrangement or authentic
 1498 instrument under the convention.

1499 (7) "United States central authority" means the Secretary
 1500 of the United States Department of Health and Human Services.

1501 Section 60. Section 88.7021, Florida Statutes, is created
 1502 to read:

1503 88.7021 Applicability.—This part applies only to a support
 1504 proceeding under the convention. In such a proceeding, if a
 1505 provision of this part is inconsistent with parts I through VI,
 1506 this part controls.

1507 Section 61. Section 88.7031, Florida Statutes, is created
 1508 to read:

1509 88.7031 Relationship of Department of Revenue to United
 1510 States central authority.—The Department of Revenue is
 1511 recognized as the agency designated by the United States central
 1512 authority to perform specific functions under the convention.

1513 Section 62. Section 88.7041, Florida Statutes, is created
 1514 to read:

1515 88.7041 Initiation by Department of Revenue of support
 1516 proceeding under convention.—

1517 (1) In a support proceeding under this part, the
 1518 Department of Revenue shall:

1519 (a) Transmit and receive applications; and

1520 (b) Initiate or facilitate the institution of a proceeding
 1521 regarding an application in a tribunal of this state.

1522 (2) The following support proceedings are available to an
 1523 obligee under the convention:

1524 (a) Recognition or recognition and enforcement of a
 1525 foreign support order.

1526 (b) Enforcement of a support order issued or recognized in
 1527 this state.

1528 (c) Establishment of a support order if there is no
 1529 existing order, including, where necessary, determination of
 1530 parentage of a child.

1531 (d) Establishment of a support order if recognition of a
 1532 foreign support order is refused under s. 88.7081(2)(b), (d), or
 1533 (i).

1534 (e) Modification of a support order of a tribunal of this

1535 state.

1536 (f) Modification of a support order of a tribunal of

1537 another state or a foreign country.

1538 (3) The following support proceedings are available under

1539 the convention to an obligor against whom there is an existing

1540 support order:

1541 (a) Recognition of an order suspending or limiting

1542 enforcement of an existing support order of a tribunal of this

1543 state.

1544 (b) Modification of a support order of a tribunal of this

1545 state.

1546 (c) Modification of a support order of a tribunal of

1547 another state or foreign country.

1548 (4) A tribunal of this state may not require security,

1549 bond, or deposit, however described, to guarantee the payment of

1550 costs and expenses in proceedings under the convention.

1551 Section 63. Section 88.7051, Florida Statutes, is created

1552 to read:

1553 88.7051 Direct request.—

1554 (1) A petitioner may file a direct request seeking

1555 establishment or modification of a support order or

1556 determination of parentage of a child. In the proceeding, the

1557 law of this state applies.

1558 (2) A petitioner may file a direct request in a tribunal

1559 of this state seeking recognition and enforcement of a support

1560 order or support agreement. In such a proceeding, the provisions

1561 of ss. 88.7061-88.7131 apply.

1562 (3) In a direct request for recognition and enforcement of

1563 a convention support order or foreign support agreement:

1564 (a) A security, bond, or deposit is not required to
 1565 guarantee the payment of costs and expenses; and

1566 (b) An obligee or obligor that in the issuing country has
 1567 benefited from free legal assistance is entitled to benefit, at
 1568 least to the same extent, from any free legal assistance
 1569 provided for by the law of this state under the same
 1570 circumstances.

1571 (4) An individual filing a direct request is not entitled
 1572 to assistance from the Department of Revenue.

1573 (5) This part does not prevent the application of laws of
 1574 this state that provide simplified, more expeditious rules
 1575 regarding a direct request for recognition and enforcement of a
 1576 foreign support order or foreign support agreement.

1577 Section 64. Section 88.7061, Florida Statutes, is created
 1578 to read:

1579 88.7061 Registration of convention support order.—

1580 (1) Except as otherwise provided in this part, a party who
 1581 is an individual or a support enforcement agency seeking
 1582 recognition of a convention support order shall register the
 1583 order in this state as provided in part VI of this chapter.

1584 (2) Notwithstanding ss. 88.3111 and 88.6021(1), a request
 1585 for registration of a convention support order must be
 1586 accompanied by the following:

1587 (a) A complete text of the support order, or an abstract
 1588 or extract of the support order drawn up by the issuing foreign
 1589 tribunal, which may be in the form recommended by the Hague
 1590 Conference on Private International Law.

1591 (b) A record stating that the support order is enforceable
 1592 in the issuing country.

1593 (c) If the respondent did not appear and was not
 1594 represented in the proceedings in the issuing country, a record
 1595 attesting, as appropriate, either that the respondent had proper
 1596 notice of the proceedings and an opportunity to be heard, or
 1597 that the respondent had proper notice of the support order and
 1598 the opportunity to be heard in a challenge or appeal on fact or
 1599 law before a tribunal.

1600 (d) A record showing the amount of any arrears, and the
 1601 date the amount was calculated.

1602 (e) A record showing a requirement for automatic
 1603 adjustment of the amount of support, if any, and the information
 1604 necessary to make the appropriate calculations, if necessary.

1605 (f) A record showing the extent to which the applicant
 1606 received free legal assistance in the issuing country.

1607 (3) A request for registration of a convention support
 1608 order may seek recognition and partial enforcement of the order.

1609 (4) A tribunal of this state may vacate the registration
 1610 of a convention support order without the filing of a contest
 1611 under s. 88.7071 only if, acting on its own motion, the tribunal
 1612 finds that recognition and enforcement of the order would be
 1613 manifestly incompatible with public policy.

1614 (5) The tribunal shall promptly notify the parties of the
 1615 registration or the order vacating the registration of a
 1616 convention support order.

1617 Section 65. Section 88.7071, Florida Statutes, is created
 1618 to read:

1619 88.7071 Contest of registered convention support order.-

1620 (1) Except as otherwise provided in this part, ss.

1621 88.6051-88.6081 apply to a contest of a registered convention
 1622 support order.

1623 (2) A party contesting a registered convention support
 1624 order shall file a contest not later than 30 days after notice
 1625 of the registration, but if the contesting party does not reside
 1626 in the United States, the contest must be filed not later than
 1627 60 days after notice of the registration.

1628 (3) If the nonregistering party fails to contest the
 1629 registered convention support order by the time specified in
 1630 subsection (2), the order is enforceable.

1631 (4) A contest of a registered convention support order may
 1632 be based only on grounds set forth in s. 88.7081. The contesting
 1633 party bears the burden of proof.

1634 (5) In a contest of a registered convention support order,
 1635 a tribunal of this state:

1636 (a) Is bound by the findings of fact on which the foreign
 1637 tribunal based its jurisdiction; and

1638 (b) May not review the merits of the order.

1639 (6) A tribunal of this state deciding a contest of a
 1640 registered convention support order shall promptly notify the
 1641 parties of its decision.

1642 (7) A challenge or appeal, if any, does not stay the
 1643 enforcement of a convention support order unless there are
 1644 exceptional circumstances.

1645 Section 66. Section 88.7081, Florida Statutes, is created
 1646 to read:

1647 88.7081 Recognition and enforcement of convention support
 1648 order.-

1649 (1) Except as otherwise provided in subsection (2), a
 1650 tribunal of this state shall recognize and enforce a registered
 1651 convention support order.

1652 (2) The following grounds are the only grounds on which a
 1653 tribunal of this state may refuse recognition and enforcement of
 1654 a registered convention support order:

1655 (a) Recognition and enforcement of the order is manifestly
 1656 incompatible with public policy, including the failure of the
 1657 issuing tribunal to observe minimum standards of due process,
 1658 which include notice and an opportunity to be heard;

1659 (b) The issuing tribunal lacked personal jurisdiction
 1660 consistent with s. 88.2011;

1661 (c) The order is not enforceable in the issuing country;

1662 (d) The order was obtained by fraud in connection with a
 1663 matter of procedure;

1664 (e) A record transmitted in accordance with s. 88.7061
 1665 lacks authenticity or integrity;

1666 (f) A proceeding between the same parties and having the
 1667 same purpose is pending before a tribunal of this state and that
 1668 proceeding was the first to be filed;

1669 (g) The order is incompatible with a more recent support
 1670 order involving the same parties and having the same purpose if
 1671 the more recent support order is entitled to recognition and
 1672 enforcement under this act in this state;

1673 (h) Payment, to the extent alleged arrears have been paid
 1674 in whole or in part;

1675 (i) In a case in which the respondent neither appeared nor
 1676 was represented in the proceeding in the issuing foreign
 1677 country:

1678 1. If the law of that country provides for prior notice of
 1679 proceedings, the respondent did not have proper notice of the
 1680 proceedings and an opportunity to be heard; or

1681 2. If the law of that country does not provide for prior
 1682 notice of the proceedings, the respondent did not have proper
 1683 notice of the order and an opportunity to be heard in a
 1684 challenge or appeal on fact or law before a tribunal; or

1685 (j) The order was made in violation of s. 88.7111.

1686 (3) If a tribunal of this state does not recognize a
 1687 convention support order under paragraph (2) (b), (d), (f), or
 1688 (i):

1689 (a) The tribunal may not dismiss the proceeding without
 1690 allowing a reasonable time for a party to request the
 1691 establishment of a new convention support order; and

1692 (b) The Department of Revenue shall take all appropriate
 1693 measures to request a child support order for the obligee if the
 1694 application for recognition and enforcement was received under
 1695 s. 88.7041.

1696 Section 67. Section 88.7091, Florida Statutes, is created
 1697 to read:

1698 88.7091 Partial enforcement.—If a tribunal of this state
 1699 does not recognize and enforce a convention support order in its
 1700 entirety, it shall enforce any severable part of the order. An
 1701 application or direct request may seek recognition and partial
 1702 enforcement of a convention support order.

1703 Section 68. Section 88.7101, Florida Statutes, is created
1704 to read:

1705 88.7101 Foreign support agreement.—

1706 (1) Except as provided in subsections (3) and (4), a
1707 tribunal of this state shall recognize and enforce a foreign
1708 support agreement registered in this state.

1709 (2) An application or direct request for recognition and
1710 enforcement of a foreign support agreement must be accompanied
1711 by:

1712 (a) A complete text of the foreign support agreement; and

1713 (b) A record stating that the foreign support agreement is
1714 enforceable as an order of support in the issuing country.

1715 (3) A tribunal of this state may vacate the registration
1716 of a foreign support agreement only if, acting on its own
1717 motion, the tribunal finds that recognition and enforcement
1718 would be manifestly incompatible with public policy.

1719 (4) In a contest of a foreign support agreement, a
1720 tribunal of this state may refuse recognition and enforcement of
1721 the agreement if it finds:

1722 (a) Recognition and enforcement of the agreement is
1723 manifestly incompatible with public policy;

1724 (b) The agreement was obtained by fraud or falsification;

1725 (c) The agreement is incompatible with a support order
1726 issued between the same parties and having the same purpose in
1727 this state, another state, or a foreign country if the support
1728 order is entitled to recognition in this state; or

1729 (d) The record submitted under subsection (2) lacks
1730 authenticity or integrity.

1731 (5) A proceeding for recognition and enforcement of a
 1732 foreign support agreement must be suspended during the pendency
 1733 of a challenge to or appeal of the agreement before a tribunal
 1734 of another state or a foreign country.

1735 Section 69. Section 88.7111, Florida Statutes, is created
 1736 to read:

1737 88.7111 Modification of convention child support order.—

1738 (1) A tribunal of this state may not modify a convention
 1739 child support order if the obligee remains a resident of the
 1740 foreign country where the support order was issued unless:

1741 (a) The obligee submits to the jurisdiction of a tribunal
 1742 of this state, either expressly or by defending on the merits of
 1743 the case without objecting to the jurisdiction at the first
 1744 available opportunity; or

1745 (b) The foreign tribunal lacks or refuses to exercise
 1746 jurisdiction to modify its support order or issue a new support
 1747 order.

1748 (2) If a tribunal of this state does not modify a
 1749 convention child support order because the order is not
 1750 recognized in this state, the provisions of s. 88.7081(3) apply.

1751 Section 70. Section 88.7121, Florida Statutes, is created
 1752 to read:

1753 88.7121 Personal information; limit on use.—Personal
 1754 information gathered or transmitted under this part may be used
 1755 only for the purposes for which it was gathered or transmitted.

1756 Section 71. Section 88.7131, Florida Statutes, is created
 1757 to read:

1758 88.7131 Record in original language; English translation.—

1759 A record filed with a tribunal of this state under this part
 1760 must be in the original language and, if not in English, must be
 1761 accompanied by an English translation.

1762 Section 72. Paragraph (b) of subsection (2) of section
 1763 88.8011, Florida Statutes, is amended to read:

1764 88.8011 Grounds for rendition.—

1765 (2) The Governor of this state may:

1766 (b) On the demand of ~~by~~ the Governor of another state,
 1767 surrender an individual found in this state who is charged
 1768 criminally in the other state with having failed to provide for
 1769 the support of an obligee.

1770 Section 73. Section 88.9011, Florida Statutes, is amended
 1771 to read:

1772 88.9011 Uniformity of application and construction.—In
 1773 applying and construing this uniform act, consideration must be
 1774 given to the need to promote uniformity of ~~This act shall be~~
 1775 ~~applied and construed to effectuate its general purpose to make~~
 1776 ~~uniform~~ the law with respect to its ~~the~~ subject matter ~~of this~~
 1777 ~~act~~ among states that enact ~~enacting~~ it.

1778 Section 74. Section 88.9021, Florida Statutes, is created
 1779 to read:

1780 88.9021 Transitional provision.—This act applies to
 1781 proceedings begun on or after the effective date of this act to
 1782 establish a support order or determine parentage of a child or
 1783 to register, recognize, enforce, or modify a prior support
 1784 order, determination, or agreement, whenever issued or entered.

1785 Section 75. Section 88.9031, Florida Statutes, is amended
 1786 to read:

1787 88.9031 Severability ~~clause~~.—If any provision of this act
 1788 or its application to any person or circumstance is held
 1789 invalid, the invalidity does not affect other provisions or
 1790 applications of this act which can be given effect without the
 1791 invalid provision or application, and to this end the provisions
 1792 of this act are severable.

1793 Section 76. Paragraph (a) of subsection (7) of section
 1794 61.13, Florida Statutes, is amended to read:

1795 61.13 Support of children; parenting and time-sharing;
 1796 powers of court.—

1797 (7) (a) Each party to any paternity or support proceeding
 1798 is required to file with the tribunal as defined in s.
 1799 ~~88.1011(22)~~ and State Case Registry upon entry of an order, and
 1800 to update as appropriate, information on location and identity
 1801 of the party, including social security number, residential and
 1802 mailing addresses, telephone number, driver's license number,
 1803 and name, address, and telephone number of employer. Each party
 1804 to any paternity or child support proceeding in a non-Title IV-D
 1805 case shall meet the above requirements for updating the tribunal
 1806 and State Case Registry.

1807 Section 77. Paragraph (b) of subsection (5) of section
 1808 827.06, Florida Statutes, is amended to read:

1809 827.06 Nonsupport of dependents.—

1810 (5)

1811 (b) The element of knowledge may be proven by evidence
 1812 that a court or tribunal as defined by s. ~~88.1011(22)~~ has
 1813 entered an order that obligates the defendant to provide the
 1814 support.

1815 Section 78. Upon the passage of this bill, the Department
1816 of Revenue is directed to apply for a waiver from the Federal
1817 Office of Child Support Enforcement pursuant to the state plan
1818 requirement under Title IV-D of the Social Security Act.

1819 Section 79. This act shall take effect upon the earlier of
1820 90 days following Congress amending 42 U.S.C. s. 666(f) to allow
1821 or require states to adopt the 2008 version of the Uniform
1822 Interstate Family Support Act, or 90 days following the state
1823 obtaining a waiver of its state plan requirement under Title IV-
1824 D of the Social Security Act.