

CS/HB 621

2011

1 A bill to be entitled  
2 An act relating to child custody; amending s. 61.13002,  
3 F.S.; providing that a parent's activation, deployment, or  
4 temporary assignment to military service and the resultant  
5 temporary disruption to the child may not be the sole  
6 factor in granting a petition for or modification of  
7 permanent time-sharing and parental responsibility;  
8 providing an effective date.  
9

10 Be It Enacted by the Legislature of the State of Florida:  
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12 Section 1. Subsection (1) of section 61.13002, Florida  
13 Statutes, is amended to read:

14 61.13002 Temporary time-sharing modification and child  
15 support modification due to military service.—

16 (1) If a supplemental petition or a motion for  
17 modification of time-sharing and parental responsibility is  
18 filed because a parent is activated, deployed, or temporarily  
19 assigned to military service and the parent's ability to comply  
20 with time-sharing is materially affected as a result, the court  
21 may not issue an order or modify or amend a previous judgment or  
22 order that changes time-sharing as it existed on the date the  
23 parent was activated, deployed, or temporarily assigned to  
24 military service, except that a court may enter a temporary  
25 order to modify or amend time-sharing if there is clear and  
26 convincing evidence that the temporary modification or amendment  
27 is in the best interests of the child. However, a parent's  
28 activation, deployment, or temporary assignment to military

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29 | service and the resultant temporary disruption to the child may  
30 | not be the sole factor in a court's decision to grant a petition  
31 | for or modification of permanent time-sharing and parental  
32 | responsibility. When entering a temporary order under this  
33 | section, the court shall consider and provide for, if feasible,  
34 | contact between the military servicemember and his or her child,  
35 | including, but not limited to, electronic communication by  
36 | webcam, telephone, or other available means. The court shall  
37 | also permit liberal time-sharing during periods of leave from  
38 | military service, as it is in the child's best interests to  
39 | maintain the parent-child bond during the parent's military  
40 | service.

41 | Section 2. This act shall take effect July 1, 2011.