

1 A bill to be entitled
 2 An act relating to child protection; amending s.
 3 61.13, F.S.; prohibiting a time-sharing plan from
 4 requiring or being interpreted to require visitation
 5 at a recovery residence between specified hours;
 6 providing exceptions; requiring the court to consider
 7 certain factors to determine the best interest of the
 8 child; prohibiting the court from ordering visitation
 9 at a recovery residence under specified circumstances;
 10 amending s. 397.487, F.S.; authorizing a certified
 11 recovery residence to allow a minor child to visit a
 12 recovery residence, excluding visits during specified
 13 hours; providing exceptions; prohibiting a certified
 14 recovery residence from allowing visitation under
 15 specified circumstances; providing an effective date.

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

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 19 Section 1. Subsection (9) is added to section 61.13,
 20 Florida Statutes, to read:

21 61.13 Support of children; parenting and time-sharing;
 22 powers of court.—

23 (9) (a) A time-sharing plan may not require that a minor
 24 child visit a parent who is a resident of a recovery residence,
 25 as defined by s. 397.311, between the hours of 9 p.m. and 7

26 a.m., unless the court makes a specific finding that such
27 visitation is in the best interest of the child. In determining
28 the best interest of the minor child in such cases, the court
29 shall take into account factors including, but not limited to,
30 whether the parent resides in a specialized residence for
31 pregnant women or parents whose children reside with them, the
32 number of adults living in the recovery residence, and the
33 parent's level of recovery.

34 (b) A time-sharing plan that does not mention a recovery
35 residence may not be interpreted to require that a minor child
36 visit a parent who is a resident of a recovery residence, as
37 defined by s. 397.311, between the hours of 9 p.m. and 7 a.m.

38 (c) A court may not order visitation at a recovery
39 residence if any resident of the recovery residence is currently
40 required to register as a sexual predator under s. 775.21 or as
41 a sexual offender under s. 943.0435.

42 Section 2. Subsection (10) is added to section 397.487,
43 Florida Statutes, to read:

44 397.487 Voluntary certification of recovery residences.—

45 (10) (a) A certified recovery residence may allow a minor
46 child to visit a parent who is a resident of the recovery
47 residence, provided that a minor child may not visit or remain
48 in the recovery residence between the hours of 9 p.m. and 7 a.m.
49 unless:

50 1. A court makes a specific finding that such visitation

51 is in the best interest of the minor child; or

52 2. The recovery residence is a specialized residence for
53 pregnant women or parents whose children reside with them. Such
54 recovery residences may allow children to visit or reside in the
55 residence if the parent does not yet have a time-sharing plan
56 pursuant to s. 61.13, provided that the parent files with the
57 court for establishment of a plan within 14 days of moving into
58 the residence.

59 (b) A certified recovery residence may not allow a minor
60 child to visit a parent who is a resident of the recovery
61 residence at any time if any resident of the recovery residence
62 is currently required to register as a sexual predator under s.
63 775.21 or as a sexual offender under s. 943.0435.

64 Section 3. This act shall take effect July 1, 2017.