

1 A bill to be entitled

2 An act relating to dissolution of marriage; amending
3 s. 61.08, F.S.; providing definitions; providing for
4 the priority of different forms of alimony; requiring
5 a court to make written findings regarding the basis
6 for awarding a combination of forms of alimony;
7 providing that the party seeking alimony has the
8 burden of proof of certain factors; revising and
9 adding specified relevant factors to be considered
10 when determining alimony; revising provisions relating
11 to the protection of awards of alimony; removing the
12 rebuttable presumption of the length of a marriage;
13 revising provisions and criteria for an award of
14 rehabilitative and durational alimony; removing the
15 authorization of permanent alimony; providing that a
16 retired party does not have to pay alimony under
17 certain circumstances; providing for imputation of
18 income to the obligor or obligee; crediting prior
19 support payments made by the obligor when calculating
20 durational limitations; amending s. 61.13, F.S.;
21 amending provisions to conform to changes made by the
22 act; amending s. 61.14, F.S.; revising and creating
23 provisions relating to the modification or termination
24 of an alimony award; providing that any modification
25 or termination of an alimony award is retroactive to

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26 | the date of the filing of the petition; providing for
27 | an award of attorney fees and costs under certain
28 | circumstances; prohibiting an alimony award from being
29 | modified or terminated because of the later
30 | modification or termination of child support payments;
31 | providing that an obligor's subsequent remarriage or
32 | cohabitation is not a basis for modification or
33 | termination of alimony; providing that attaining
34 | retirement age is considered a substantial change in
35 | circumstances; providing factors to be considered in
36 | determining whether the retirement is reasonable;
37 | requiring a court to terminate or reduce an alimony
38 | award based on certain factors; amending s. 61.19,
39 | F.S.; authorizing separate adjudication of issues in a
40 | dissolution of marriage in certain circumstances;
41 | providing for temporary orders to protect the parties
42 | and their children; creating a presumption for equal
43 | time-sharing; providing an effective date.

44 |
45 | Be It Enacted by the Legislature of the State of Florida:

46 |
47 | Section 1. Section 61.08, Florida Statutes, is amended to
48 | read:

49 | 61.08 Alimony.—

50 | (1) As used in this section, the term:

51 (a) "Alimony" means a payment, regardless of whether it is
52 court-ordered, of support by one spouse to the other spouse
53 after the filing of a petition for dissolution of marriage.

54 (b) "Net income" means net income as determined in
55 accordance with s. 61.30.

56 (2) (a) ~~(1)~~ In a proceeding for dissolution of marriage, the
57 court may grant alimony to either party in the form of, ~~which~~
58 alimony may be bridge-the-gap, rehabilitative, or durational
59 alimony, or a ~~permanent in nature or any~~ combination of these
60 forms of alimony, but shall prioritize an award of bridge-the-
61 gap alimony, followed by rehabilitative alimony, over any other
62 form of alimony. In an ~~any~~ award of alimony, the court may order
63 periodic payments, ~~or~~ payments in lump sum, or both.

64 (b) The court shall make written findings regarding the
65 basis for awarding a combination of forms of alimony, including
66 the type of alimony and the length of time for which the alimony
67 is awarded. The court may award only a combination of forms of
68 alimony to provide greater economic assistance in order to allow
69 the recipient to achieve rehabilitation.

70 (c) ~~The court may consider the adultery of either spouse~~
71 ~~and the circumstances thereof in determining the amount of~~
72 alimony, if any, to be awarded. In all dissolution actions, the
73 court shall include written findings of fact relative to the
74 factors provided ~~enumerated~~ in subsection (3) ~~(2)~~ supporting an
75 award or denial of alimony.

76 (3)-(2) The party seeking alimony has the burden of proof
 77 of demonstrating a need for alimony and that the other party has
 78 the ability to pay alimony. In determining whether to award
 79 alimony ~~or maintenance~~, the court shall ~~first~~ make, in writing,
 80 a specific factual determination as to whether the other ~~either~~
 81 party has an actual need for alimony ~~or maintenance~~ and whether
 82 the other ~~either~~ party has the ability to pay alimony ~~or~~
 83 ~~maintenance~~. If the court finds that the a party seeking alimony
 84 has met its burden of proof in demonstrating a need for alimony
 85 ~~or maintenance~~ and that the other party has the ability to pay
 86 alimony ~~or maintenance~~, then in determining the proper type and
 87 amount of alimony ~~or maintenance~~ under subsections (5)-(7) ~~(5)-~~
 88 ~~(8)~~, the court shall consider all relevant factors, including,
 89 ~~but not limited to:~~
 90 ~~(a) The standard of living established during the~~
 91 ~~marriage.~~
 92 (a)-(b) The duration of the marriage.
 93 (b)-(e) The age and the physical and emotional condition of
 94 each party.
 95 (c)-(d) The financial resources of each party, including
 96 the portion of nonmarital assets that were relied upon by the
 97 parties during the marriage and the marital assets and
 98 liabilities distributed to each party.
 99 (d)-(e) The earning capacities, educational levels,
 100 vocational skills, and employability of the parties and, when

101 applicable, the time necessary for either party to acquire
102 sufficient education or training to enable such party to find
103 appropriate employment.

104 ~~(e)-(f)~~ The contribution of each party to the marriage,
105 ~~including, but not limited to, services rendered in homemaking,~~
106 ~~child care, education, and career building of the other party.~~

107 ~~(f)-(g)~~ The responsibilities each party will have with
108 regard to any minor children that the parties ~~they~~ have in
109 common.

110 ~~(g)-(h)~~ The tax treatment and consequences to both parties
111 of an any alimony award, ~~including the designation of all or a~~
112 ~~portion of the payment as a nontaxable, nondeductible payment.~~

113 ~~(h)-(i)~~ All sources of income available to either party,
114 including income available to either party through investments
115 of any asset held by that party that were acquired during the
116 marriage or acquired outside of the marriage and relied upon
117 during the marriage.

118 (i) The needs and necessities of life for each party after
119 dissolution of marriage taking into consideration that both
120 parties will have a lower standard of living after the
121 dissolution of marriage than the standard of living they enjoyed
122 during the marriage. This presumption may be overcome by a
123 preponderance of the evidence.

124 (j) Any other factor necessary to do equity and justice
125 between the parties if such factor is specifically identified in

126 | the award with findings of fact justifying the application of
127 | such factor.

128 | ~~(4)(3)~~ To the extent necessary to protect an award of
129 | alimony, the obligee may ~~court may order any party who is~~
130 | ~~ordered to pay alimony to~~ purchase or maintain a life insurance
131 | policy on the obligor's life in an amount adequate to ~~or a bond,~~
132 | ~~or to otherwise secure such alimony award with any other assets~~
133 | ~~which may be suitable for that purpose. If the obligee purchases~~
134 | a life insurance policy, the obligor shall cooperate in the
135 | process of procuring the issuance and underwriting of such life
136 | insurance policy.

137 | ~~(4)~~ ~~For purposes of determining alimony, there is a~~
138 | ~~rebuttable presumption that a short-term marriage is a marriage~~
139 | ~~having a duration of less than 7 years, a moderate-term marriage~~
140 | ~~is a marriage having a duration of greater than 7 years but less~~
141 | ~~than 17 years, and long-term marriage is a marriage having a~~
142 | ~~duration of 17 years or greater. The length of a marriage is the~~
143 | ~~period of time from the date of marriage until the date of~~
144 | ~~filing of an action for dissolution of marriage.~~

145 | (5) Bridge-the-gap alimony may be awarded to assist a
146 | party by providing support to allow the party to make a
147 | transition from being married to being single. Bridge-the-gap
148 | alimony is designed to assist a party with legitimate
149 | identifiable short-term needs, and the length of an award of
150 | bridge-the-gap alimony may not exceed 2 years. An award of

151 bridge-the-gap alimony terminates upon the death of either party
152 or upon the remarriage of the party receiving alimony. An award
153 of bridge-the-gap alimony is ~~shall~~ not ~~be~~ modifiable in amount
154 or duration.

155 (6) (a) Rehabilitative alimony may be awarded to assist a
156 party in establishing the capacity for self-support through
157 either:

- 158 1. The redevelopment of previous skills or credentials; or
- 159 2. The acquisition of education, training, or work
160 experience necessary to develop appropriate employment skills or
161 credentials.

162 (b) In order to award rehabilitative alimony, there must
163 be a specific and defined rehabilitative plan which shall be
164 included as a part of any order awarding rehabilitative alimony.

165 (c) The length of an award of rehabilitative alimony may
166 not exceed 5 years or the limitations for durational alimony as
167 provided in subsection (7), whichever period of time is shorter.

168 (d) An award of rehabilitative alimony may be modified or
169 terminated in accordance with s. 61.14 based upon a substantial
170 change in circumstances, upon noncompliance with the
171 rehabilitative plan, or upon completion of the rehabilitative
172 plan if the plan is completed before the length of the award of
173 rehabilitative alimony expires.

174 (7) (a) Durational alimony may be awarded ~~when permanent~~
175 ~~periodic alimony is inappropriate. The purpose of durational~~

176 ~~alimony is~~ to provide a party with economic assistance for a set
177 period of time ~~following a marriage of short or moderate~~
178 ~~duration or following a marriage of long duration if there is no~~
179 ~~ongoing need for support on a permanent basis.~~ An award of
180 durational alimony terminates upon the death of either party or
181 upon the remarriage of the party receiving alimony. The amount
182 of an award of durational alimony shall ~~may~~ be modified or
183 terminated based upon a substantial change in circumstances or
184 upon a finding that a supportive relationship exists or existed
185 between the obligee and another person in accordance with s.
186 61.14. ~~However,~~ The length of an award of durational alimony may
187 not be modified ~~except under exceptional circumstances and may~~
188 ~~not~~ exceed 50 percent of the length of the marriage. For
189 purposes of this subsection, the length of a marriage is the
190 period of time beginning on the date of marriage and ending on
191 the date an action for dissolution of marriage is filed.

192 (b) When awarding durational alimony, the court must make
193 written findings that an award of another type of alimony, or a
194 combination of the other forms of alimony, is not appropriate.

195 (c) The amount of durational alimony is the amount
196 determined to be the obligee's reasonable need or 25 percent of
197 the difference between the parties' net incomes, whichever
198 amount is less.

199 (8) A party against whom alimony is sought who has met the
200 requirements for retirement in accordance with s. 61.14(12)

201 before the filing of the petition for dissolution of marriage
202 may not be ordered to pay alimony.

203 (9) (a) Notwithstanding any other provision of law, alimony
204 may not be awarded to a party who has a monthly net income that
205 is equal to or more than the other party's monthly net income.

206 (b) Social security retirement benefits may not be imputed
207 to the obligor as demonstrated by a social security retirement
208 benefits entitlement letter.

209 (c) If the obligee alleges that a physical disability has
210 impaired his or her capability to earn the income imputed by the
211 court, the obligee must have qualified for benefits under the
212 Social Security Administration Disability Insurance Program or,
213 in the event the obligee is not eligible for the program, must
214 demonstrate that his or her disability meets the disability
215 qualification standards of the Social Security Administration
216 Disability Insurance Program.

217 ~~(8) Permanent alimony may be awarded to provide for the~~
218 ~~needs and necessities of life as they were established during~~
219 ~~the marriage of the parties for a party who lacks the financial~~
220 ~~ability to meet his or her needs and necessities of life~~
221 ~~following a dissolution of marriage. Permanent alimony may be~~
222 ~~awarded following a marriage of long duration if such an award~~
223 ~~is appropriate upon consideration of the factors set forth in~~
224 ~~subsection (2), following a marriage of moderate duration if~~
225 ~~such an award is appropriate based upon clear and convincing~~

226 ~~evidence after consideration of the factors set forth in~~
227 ~~subsection (2), or following a marriage of short duration if~~
228 ~~there are written findings of exceptional circumstances. In~~
229 ~~awarding permanent alimony, the court shall include a finding~~
230 ~~that no other form of alimony is fair and reasonable under the~~
231 ~~circumstances of the parties. An award of permanent alimony~~
232 ~~terminates upon the death of either party or upon the remarriage~~
233 ~~of the party receiving alimony. An award may be modified or~~
234 ~~terminated based upon a substantial change in circumstances or~~
235 ~~upon the existence of a supportive relationship in accordance~~
236 ~~with s. 61.14.~~

237 ~~(9) The award of alimony may not leave the payor with~~
238 ~~significantly less net income than the net income of the~~
239 ~~recipient unless there are written findings of exceptional~~
240 ~~circumstances.~~

241 (10) (a) With respect to any order requiring the payment of
242 alimony entered on or after January 1, 1985, unless ~~the~~
243 ~~provisions of paragraph (c) or paragraph (d)~~ applies apply, the
244 court shall direct in the order that the payments of alimony be
245 made through the appropriate depository as provided in s.
246 61.181.

247 (b) With respect to any order requiring the payment of
248 alimony entered before January 1, 1985, upon the subsequent
249 appearance₇ on or after that date₇ of one or both parties before
250 the court having jurisdiction for the purpose of modifying or

251 enforcing the order or in any other proceeding related to the
252 order, or upon the application of either party, unless ~~the~~
253 ~~provisions of~~ paragraph (c) or paragraph (d) applies ~~apply~~, the
254 court shall modify the terms of the order as necessary to direct
255 that payments of alimony be made through the appropriate
256 depository as provided in s. 61.181.

257 (c) If there is no minor child, alimony payments need not
258 be directed through the depository.

259 (d)1. If there is a minor child of the parties and both
260 parties so request, the court may order that alimony payments
261 need not be directed through the depository. In this case, the
262 order of support must ~~shall~~ provide, or be deemed to provide,
263 that either party may subsequently apply to the depository to
264 require that payments be made through the depository. The court
265 shall provide a copy of the order to the depository.

266 2. If ~~the provisions of~~ subparagraph 1. applies ~~apply~~,
267 either party may subsequently file with the depository an
268 affidavit alleging default or arrearages in payment and stating
269 that the party wishes to initiate participation in the
270 depository program. The party shall provide copies of the
271 affidavit to the court and the other party or parties. Fifteen
272 days after receipt of the affidavit, the depository shall notify
273 all parties that future payments shall be directed to the
274 depository.

275 3. In IV-D cases, the IV-D agency has ~~shall have~~ the same

276 | rights as the obligee in requesting that payments be made
 277 | through the depository.

278 | (11) All support payments made to the obligee after the
 279 | date of filing of a petition for dissolution of marriage, either
 280 | voluntarily or pursuant to a court order, are credited to the
 281 | obligor for purposes of calculating the durational limitations
 282 | of alimony.

283 | Section 2. Paragraph (c) of subsection (2) of section
 284 | 61.13, Florida Statutes, is amended to read:

285 | 61.13 Support of children; parenting and time-sharing;
 286 | powers of court.—

287 | (2)

288 | (c) The court shall determine all matters relating to
 289 | parenting and time-sharing of each minor child of the parties in
 290 | accordance with the best interests of the child and in
 291 | accordance with the Uniform Child Custody Jurisdiction and
 292 | Enforcement Act, except that modification of a parenting plan
 293 | and time-sharing schedule requires a showing of a substantial,
 294 | material, and unanticipated change of circumstances.

295 | 1. It is the public policy of this state that each minor
 296 | child has frequent and continuing contact with both parents
 297 | after the parents separate or the marriage of the parties is
 298 | dissolved and to encourage parents to share the rights and
 299 | responsibilities, and joys, of childrearing. ~~There is no~~
 300 | ~~presumption for or against the father or mother of the child or~~

301 ~~for or against any specific time-sharing schedule when creating~~
302 ~~or modifying the parenting plan of the child.~~

303 2. The court shall order that the parental responsibility
304 for a minor child be shared by both parents unless the court
305 finds that shared parental responsibility would be detrimental
306 to the child. Evidence that a parent has been convicted of a
307 misdemeanor of the first degree or higher involving domestic
308 violence, as defined in s. 741.28 and chapter 775, or meets the
309 criteria of s. 39.806(1)(d), creates a rebuttable presumption of
310 detriment to the child. If the presumption is not rebutted after
311 the convicted parent is advised by the court that the
312 presumption exists, shared parental responsibility, including
313 time-sharing with the child, and decisions made regarding the
314 child, may not be granted to the convicted parent. However, the
315 convicted parent is not relieved of any obligation to provide
316 financial support. If the court determines that shared parental
317 responsibility would be detrimental to the child, it may order
318 sole parental responsibility and make such arrangements for
319 time-sharing as specified in the parenting plan as will best
320 protect the child or abused spouse from further harm. Regardless
321 of whether ~~or not~~ there is a conviction of any offense of
322 domestic violence or child abuse or the existence of an
323 injunction for protection against domestic violence, the court
324 shall consider evidence of domestic violence or child abuse as
325 evidence of detriment to the child.

326 a. In ordering shared parental responsibility, the court
327 may consider the expressed desires of the parents and may grant
328 to one party the ultimate responsibility over specific aspects
329 of the child's welfare or may divide those responsibilities
330 between the parties based on the best interests of the child.
331 Areas of responsibility may include education, health care, and
332 any other responsibilities that the court finds unique to a
333 particular family.

334 b. The court shall order sole parental responsibility for
335 a minor child to one parent, with or without time-sharing with
336 the other parent if it is in the best interests of the minor
337 child.

338 3. Access to records and information pertaining to a minor
339 child, including, but not limited to, medical, dental, and
340 school records, may not be denied to either parent. Full rights
341 under this subparagraph apply to either parent unless a court
342 order specifically revokes these rights, including any
343 restrictions on these rights as provided in a domestic violence
344 injunction. A parent having rights under this subparagraph has
345 the same rights upon request as to form, substance, and manner
346 of access as are available to the other parent of a child,
347 including, without limitation, the right to in-person
348 communication with medical, dental, and education providers.

349 Section 3. Subsection (1) of section 61.14, Florida
350 Statutes, is amended, paragraphs (c) and (d) are added to

351 subsection (11), and subsections (12) and (13) are added to that
352 section, to read:

353 61.14 Enforcement and modification of support,
354 maintenance, or alimony agreements or orders.—

355 (1) (a) ~~When the parties enter into an agreement for~~
356 ~~payments for, or instead of, support, maintenance, or alimony,~~
357 ~~whether in connection with a proceeding for dissolution or~~
358 ~~separate maintenance or with any voluntary property settlement,~~
359 ~~or when a party is required by court order to make any payments,~~
360 ~~and the circumstances or the financial ability of either party~~
361 ~~changes or the child who is a beneficiary of an agreement or~~
362 ~~court order as described herein reaches majority after the~~
363 ~~execution of the agreement or the rendition of the order, either~~
364 ~~party may apply to the circuit court of the circuit in which the~~
365 ~~parties, or either of them, resided at the date of the execution~~
366 ~~of the agreement or reside at the date of the application, or in~~
367 ~~which the agreement was executed or in which the order was~~
368 ~~rendered, for an order decreasing or increasing the amount of~~
369 ~~support, maintenance, or alimony, and the court has jurisdiction~~
370 ~~to make orders as equity requires, with due regard to the~~
371 ~~changed circumstances or the financial ability of the parties or~~
372 ~~the child, decreasing, increasing, or confirming the amount of~~
373 ~~separate support, maintenance, or alimony provided for in the~~
374 ~~agreement or order. A finding that medical insurance is~~
375 ~~reasonably available or the child support guidelines schedule in~~

376 ~~s. 61.30 may constitute changed circumstances. Except as~~
 377 ~~otherwise provided in s. 61.30(11)(c), the court may modify an~~
 378 ~~order of support, maintenance, or alimony by increasing or~~
 379 ~~decreasing the support, maintenance, or alimony retroactively to~~
 380 ~~the date of the filing of the action or supplemental action for~~
 381 ~~modification as equity requires, giving due regard to the~~
 382 ~~changed circumstances or the financial ability of the parties or~~
 383 ~~the child.~~

384 ~~(b)~~1. The court shall ~~may~~ reduce or terminate an award of
 385 alimony upon specific written findings by the court that since
 386 the granting of a divorce and the award of alimony, a supportive
 387 relationship exists or ~~has~~ existed between the obligee and
 388 another a person at any time during the 180 days before the
 389 filing of a petition for modification of alimony ~~with whom the~~
 390 ~~obligee resides~~. On the issue of whether alimony should be
 391 reduced or terminated under this paragraph, the burden is on the
 392 obligor to prove by a preponderance of the evidence that a
 393 supportive relationship exists or existed.

394 2. In determining whether an existing award of alimony
 395 should be reduced or terminated because of an alleged supportive
 396 relationship between an obligee and a person who is not related
 397 by consanguinity or affinity and with whom the obligee resides,
 398 the court shall elicit the nature and extent of the relationship
 399 in question. The court shall give consideration, without
 400 limitation, to circumstances, including, but not limited to, the

401 following, in determining the relationship of an obligee to
402 another person:

403 a. The extent to which the obligee and the other person
404 have held themselves out as a married couple by engaging in
405 conduct such as using the same last name, using a common mailing
406 address, referring to each other in terms such as "my husband"
407 or "my wife," or otherwise conducting themselves in a manner
408 that evidences a permanent supportive relationship.

409 b. The period of time that the obligee has resided with
410 the other person in a permanent place of abode.

411 c. The extent to which the obligee and the other person
412 have pooled their assets or income or otherwise exhibited
413 financial interdependence.

414 d. The extent to which the obligee or the other person has
415 supported the other, in whole or in part.

416 e. The extent to which the obligee or the other person has
417 performed valuable services for the other.

418 f. The extent to which the obligee or the other person has
419 performed valuable services for the other's company or employer.

420 g. Whether the obligee and the other person have worked
421 together to create or enhance anything of value.

422 h. Whether the obligee and the other person have jointly
423 contributed to the purchase of any real or personal property.

424 i. Evidence in support of a claim that the obligee and the
425 other person have an express agreement regarding property

426 | sharing or support.

427 | j. Evidence in support of a claim that the obligee and the
428 | other person have an implied agreement regarding property
429 | sharing or support.

430 | k. Whether the obligee and the other person have provided
431 | support to the children of one another, regardless of any legal
432 | duty to do so.

433 | 3. This paragraph does not abrogate the requirement that
434 | every marriage in this state be solemnized under a license, does
435 | not recognize a common law marriage as valid, and does not
436 | recognize a de facto marriage. This paragraph recognizes only
437 | that relationships do exist that provide economic support
438 | equivalent to a marriage and that alimony terminable on
439 | remarriage may be reduced or terminated upon the establishment
440 | of equivalent equitable circumstances as described in this
441 | paragraph. The existence of a conjugal relationship, though it
442 | may be relevant to the nature and extent of the relationship, is
443 | not necessary for the application of ~~the provisions of~~ this
444 | paragraph.

445 | 4. Any modification or termination of an alimony award is
446 | effective as of July 1, 2020, or retroactive to the date of the
447 | filing of the petition. In an action under this section, if it
448 | is determined that the obligee or obligor unnecessarily or
449 | unreasonably litigated the underlying petition for modification
450 | or termination, including litigation over the date of

451 termination of the alimony, the court may award the other party
 452 his or her reasonable attorney fees and costs under s. 61.16.

453 (b)-(e) For each support order reviewed by the department
 454 as required by s. 409.2564(11), if the amount of the child
 455 support award under the order differs by at least 10 percent but
 456 not less than \$25 from the amount that would be awarded under s.
 457 61.30, the department shall seek to have the order modified and
 458 any modification shall be made without a requirement for proof
 459 or showing of a change in circumstances.

460 (c)-(d) The department may ~~shall have authority to~~ adopt
 461 rules to administer ~~implement~~ this section.

462 (11)

463 (c) If the court orders alimony payable concurrent with a
 464 child support order, the alimony award may not be modified
 465 solely because of a later reduction or termination of child
 466 support payments.

467 (d) An obligor's subsequent remarriage or cohabitation
 468 does not constitute a basis for a modification of alimony. The
 469 income and assets of the obligor's subsequent spouse or person
 470 with whom the obligor resides is not relevant in a modification
 471 action.

472 (12) (a) An alimony award terminates when the obligor
 473 reaches full retirement age as determined by the United States
 474 Social Security Administration or when the obligor retires at an
 475 age that is reasonable for his or her profession or line of

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476 work, whichever is earlier. In determining whether the obligor's
477 retirement age is reasonable, the court shall consider the
478 obligor's:

479 1. Age.

480 2. Health.

481 3. Motivation for retirement.

482 4. Type of work.

483 5. Typical retirement age for that type of work.

484 (b) In anticipation of retirement, the obligor may file a
485 petition for termination of the alimony award effective upon his
486 or her retirement date before the obligor reaches full
487 retirement age as determined by the United States Social
488 Security Administration. The court shall terminate the alimony
489 award after the retirement of the obligor unless the court makes
490 findings of fact that the obligor's retirement age is not
491 reasonable.

492 (13) (a) An alimony award shall be reduced by the amount of
493 any social security or disability benefits or retirement
494 payments that the obligee receives.

495 (b) The obligor's social security or disability benefits
496 or retirement payments are exempt from garnishment for alimony
497 enforcement.

498 Section 4. Section 61.19, Florida Statutes, is amended to
499 read:

500 61.19 Entry of judgment of dissolution of marriage;~~7~~ delay

501 period; separate adjudication of issues.—

502 (1) A ~~No~~ final judgment of dissolution of marriage may not
503 be entered until at least 20 days have elapsed from the date of
504 filing the original petition for dissolution of marriage,~~†~~ but
505 the court, on a showing that injustice would result from this
506 delay, may enter a final judgment of dissolution of marriage at
507 an earlier date.

508 (2) (a) If more than 365 days have elapsed after the date
509 of service of the original petition for dissolution of marriage,
510 absent a showing by either party that irreparable harm will
511 result from granting a final dissolution, the court shall, upon
512 request of either party, grant a final dissolution of marriage
513 with a reservation of jurisdiction to subsequently determine all
514 other substantive issues. Before granting a final dissolution of
515 marriage with a reservation of jurisdiction to subsequently
516 determine all other substantive issues, the court shall enter
517 temporary orders necessary to protect the parties and their
518 children, which orders remain effective until all other issues
519 can be adjudicated by the court.

520 (b) Unless otherwise agreed to by the parties, there is a
521 presumption that equal time-sharing is in the best interests of
522 the minor children common to both parties.

523 Section 5. This act shall take effect July 1, 2020.