

By Senator Osgood

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1                   A bill to be entitled  
2       An act relating to child support and time-sharing  
3       resulting from unwanted pregnancies; amending s.  
4       390.0111, F.S.; providing that the financial  
5       obligation of child support may not be terminated in  
6       instances where a victim of rape, incest, or human  
7       trafficking is unable to receive an abortion for the  
8       resulting pregnancy; providing for the automatic  
9       termination of paternal rights of the offender;  
10      providing for automatic child support orders in such  
11      instances; requiring such offenders to repay the state  
12      for any expenses incurred in support of the child;  
13      requiring physicians to provide pregnant women with  
14      specified documentation if they are denied abortion  
15      care because they are beyond the allowable timeframe  
16      for an abortion; authorizing such women to petition  
17      the court for child support; requiring the court to  
18      automatically enter such orders; specifying procedures  
19      and requirements for such orders; authorizing  
20      petitions for time-sharing to be filed beginning 1  
21      year after the birth of the child; providing an  
22      effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

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26       Section 1. Subsection (16) is added to section 390.0111,  
27 Florida Statutes, to read:

28       390.0111 Termination of pregnancies.—

29       (16) PATERNAL RIGHTS AND CHILD SUPPORT.—

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30 (a) If a victim of rape, incest, or human trafficking is  
31 unable to receive an abortion under this section:

32 1. The offender's paternal rights must be automatically  
33 terminated upon his conviction by a jury or upon a plea of  
34 guilty or nolo contendere for such offense; however, the  
35 financial obligation of child support may not be terminated.

36 2. An automatic order for child support must be entered.  
37 Any support provided by the state in support of the child must  
38 be repaid to the state by the offender.

39 (b) If a woman who seeks abortion care is denied such care  
40 because she is beyond the allowable timeframe under this  
41 section, a physician must provide the woman documentation  
42 stating that she is beyond the timeframe to receive abortion  
43 care. Upon receipt of such documentation, the woman may petition  
44 the court for an order of child support. Upon petition to the  
45 court, the order must be entered automatically.

46 1. The order shall be entered and the child support shall  
47 be at least \$350 per month to cover prenatal care. The money  
48 shall be deposited in a depository account with the clerk of  
49 court pending the verification of a DNA test of paternal  
50 parentage. This test may be done before or after the birth of  
51 the child. Once paternity is confirmed, the court shall enter an  
52 order based upon the child support calculation methods already  
53 set in general law.

54 2. The order must include financial support for 3 months  
55 after the birth of the child. The court shall require financial  
56 support of the child while the mother recovers on maternity  
57 leave. The mother must submit at least 3 months of pay stubs to  
58 the court for an order to be entered providing up to 50 percent

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59 of her income for support while she is on maternity leave.

60 3. Upon petition to the court, time-sharing for the child  
61 may begin 1 year after the date the child is born or any time  
62 thereafter.

63 Section 2. This act shall take effect upon becoming a law.