

1 A bill to be entitled
2 An act relating to civil remedy for parental
3 abduction; creating s. 772.111, F.S.; providing a
4 short title; providing a civil cause of action if a
5 minor is unlawfully kept from a parent or guardian for
6 a specified amount of time; authorizing reasonable
7 attorney fees and costs for either party under certain
8 circumstances; providing a standard of proof;
9 authorizing the court to award punitive damages;
10 providing affirmative defenses; requiring a specified
11 court division to preside over such cause of action if
12 possible; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 **Section 1. Section 772.111, Florida Statutes, is created**
17 **to read:**

18 772.111 Civil remedy for parental abduction.—

19 (1) This act may be cited as the "Parental Abduction Act."

20 (2) A parent or legal guardian who is aggrieved by a
21 violation of s. 787.03 involving a minor who is unlawfully kept
22 from him or her by the other parent or legal guardian for more
23 than 30 days has a cause of action for actual damages or
24 \$10,000, whichever is greater, and reasonable attorney fees and
25 costs. In such action:

26 (a) The violation must be established by the greater
27 weight of the evidence.

28 (b) The court may award punitive damages pursuant to
29 chapter 768.

30 (c) The defendant is entitled to reasonable attorney fees
31 and costs upon a finding that the party who brought the action
32 raised a claim that was without substantial fact or legal
33 support.

34 (d) The defendant may raise any of the following as
35 affirmative defenses:

36 1. Any defense allowed under s. 787.03(4).

37 2. That the defendant's action was pursuant to a valid
38 court order.

39 (3) Any action filed under this section must be assigned,
40 if possible, to the family law division that previously or
41 simultaneously exercised jurisdiction over the underlying family
42 law case.

43 **Section 2.** This act shall take effect July 1, 2025.