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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2025	.	
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The Committee on Children, Families, and Elder Affairs (Grall)  
recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (3) is added to section 63.0427,  
Florida Statutes, to read:

63.0427 Agreements for continued communication or contact  
between adopted child and siblings, parents, and other  
relatives; contracts for postadoption contact.—

(3) (a) In lieu of, or in addition to, a postadoption



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11 communication or contact order under subsection (1), an adoptive  
12 parent and a biological parent, and the adopted child, if the  
13 adopted child is 12 years of age or older, may voluntarily enter  
14 into a written contract for postadoption contact that permits  
15 continued contact between a birth parent, siblings, and the  
16 adopted child until the child reaches 18 years of age. If the  
17 adopted child is 12 years of age or older, he or she must be a  
18 party to the contract and is deemed to have the capacity to  
19 enter into a contract for the purposes of this subsection.

20 (b) A contract for postadoption contact may provide for  
21 privileges relating to the adopted child which include, but are  
22 not limited to, visitation with the child; communication and  
23 contact with the child, including, but not limited to, written  
24 correspondence and telephone calls; the sharing of information  
25 about the child; and the sharing of information about biological  
26 or adoptive parents.

27 (c) A provision of a contract for postadoption contact is  
28 unenforceable if the provision:

29 1. Permits contact between an adopted child and a person  
30 legally restrained from such contact; or

31 2. Impairs the ability of the adoptive parents and child to  
32 change residence within or outside of this state.

33 3. Objected to by the adopted child who is 12 years of age  
34 or older.

35 (d) A contract for postadoption contact must include the  
36 following statements in at least 14-point boldface type:

37 1. "Failure to follow the terms of this contract, or any  
38 amendment thereto, does not invalidate a final adoption order."

39 2. "A disagreement between the parties to, or any action



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brought to enforce, this contract may not serve as the basis for any action or order affecting the custody of the adopted child."

(e) If the contract states the parties intend that the contract shall be enforceable, the contract shall be filed with the court, approved by the court in the termination of parental rights and adoption proceedings in the best interest of the child, and incorporated into the final judgment terminating parental rights and final judgment of adoption as binding and enforceable. The continuing validity of the adoption is not contingent upon compliance with the terms of the contract. The court shall reserve jurisdiction for the purpose of enforcing the contract for postadoption contact.

(f) A contract for postadoption contact may be modified or terminated upon the agreement of all parties to the contract. If there is a disagreement among such parties as to enforcement, modification, or termination of the contract, the contract may be enforced, modified, or terminated in the following manner:

1. Any party to a contract for postadoption contact may seek the enforcement of the contract. An adoptive parent or child, but not a biological parent, may unilaterally seek to modify or terminate the contract. The party seeking enforcement, modification, or termination shall file a motion in the termination of parental rights proceeding and serve the motion on the other parties by the method designated in the contract.

2. Within 45 days of the filing of a motion under this subsection, the court shall issue a case management order.

3. In an action to enforce, modify, or terminate a contract for postadoption contact, the burden of proof is on the party seeking such enforcement, modification, or termination to show



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that such enforcement, modification, or termination is in the best interest of the child by a preponderance of the evidence. The best interests of the child must be the court's primary consideration in determining whether to enforce, modify, or terminate the contract, but the good faith of each party, any change in circumstances since the execution of the contract, and the extent of each party's compliance with the contract may also be considered, as well as any other evidence the court finds appropriate. The court shall issue an enforcement, modification, or termination order.

(g) During any period of time in which the adoptive parents temporarily lose custody of the child, the contract for postadoption contact does not terminate but may not be enforced.

(h) A contract for postadoption contact automatically terminates upon the adopted child reaching 18 years of age.

Section 2. Paragraph (e) of subsection (5) of section 63.102, Florida Statutes, is amended to read:

63.102 Filing of petition for adoption or declaratory statement; venue; proceeding for approval of fees and costs.—

(5) PRIOR APPROVAL OF FEES AND COSTS.—A proceeding for prior approval of fees and costs may be commenced any time after an agreement is reached between the birth mother and the adoptive parents by filing a petition for declaratory statement on the agreement entitled "In the Matter of the Proposed Adoption of a Minor Child" in the circuit court.

(e) A declaratory statement as to the adoption contract, regardless of when filed, shall be consolidated with any related petition for adoption. The clerk of the court shall only assess one filing fee that includes the adoption action, the



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declaratory statement petition, ~~and~~ the petition for termination  
of parental rights, and any postadoption contract actions under  
s. 63.0427.

Section 3. This act shall take effect January 1, 2026.

===== T I T L E   A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled

An act relating to contracts for postadoption contact;  
amending s. 63.0427, F.S.; defining the term "legal  
relative"; authorizing certain parties to enter into a  
written contract for postadoption contact that permits  
contact between an adopted child and his or her legal  
relatives; providing that certain contract provisions  
are unenforceable; requiring that a postadoption  
contract include certain statements; authorizing any  
party to such contract to file the contract with the  
court; requiring the court to make the contract a part  
of the final adoption order; providing that the  
continuing validity of the adoption is not contingent  
upon compliance with the terms of the contract;  
authorizing and providing requirements for  
enforcement, modification, or termination of the  
contract; prohibiting enforcement of the contract in  
certain circumstances; providing for automatic  
termination of the contract in certain circumstances;  
providing an effective date.



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