

By the Committee on Judiciary; and Senator Grall

590-02738-26

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A bill to be entitled
An act relating to family law; amending s. 61.13,
F.S.; requiring that certain time-sharing matters be
accorded priority on a court's calendar; providing
procedural requirements for evidentiary hearings on
motions seeking to establish temporary parental
responsibility and time-sharing and on motions to
enforce compliance with existing time-sharing orders;
requiring the Office of the State Courts Administrator
to prepare and publish on its website a publicly
accessible annual report for certain evidentiary
hearings held in each judicial circuit; requiring that
the report include specified information; requiring
the office to submit the report to the Legislature;
prohibiting the reports from containing certain
personal identifying information; authorizing the
Supreme Court to adopt rules; amending s. 742.031,
F.S.; requiring, rather than authorizing, a court to
make a determination of appropriate parenting plans in
certain proceedings; deleting provisions requiring the
obligee parent to receive, or the mother to be
presumed to have, all time-sharing and sole parental
responsibility under certain circumstances; providing
an effective date.

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

Section 1. Subsection (10) is added to section 61.13,
Florida Statutes, to read:

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61.13 Support of children; parenting and time-sharing;
powers of court; evidentiary hearing reports.—

(10) (a) The following time-sharing matters must be accorded
priority on the court's calendar:

1. An evidentiary hearing on an initial verified motion
affirmatively seeking to establish temporary parental
responsibility and time-sharing. Such motion must be filed
separately from the initial petition for dissolution or petition
to establish paternity, as applicable. The initiating party must
attach a proposed temporary parenting plan to the motion. The
responding party must file and serve a proposed temporary
parenting plan within 10 days after receipt of service of the
verified motion and attached proposed temporary parenting plan.
However, failure of the responding party to file or serve a
proposed temporary parenting plan is not a bar to moving forward
on the motion. Portions of the proposed temporary parenting
plans which are not in dispute must be adopted as a voluntary
agreed schedule between the parties. Absent good cause, the
court shall conduct a hearing on the contested issues within 30
days after the motion is served. The court may not refer the
parties to mediation as a condition precedent to the court
setting or conducting a hearing unless the court has the consent
of both parties. The court shall issue an order on temporary
parental responsibility and time-sharing within 30 days after
the conclusion of the evidentiary hearing.

2. An evidentiary hearing on a motion to enforce compliance
with an existing time-sharing order. The court shall conduct a
hearing on a motion seeking to enforce compliance with an
existing time-sharing order within 5 business days after the

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59 motion is served. If the judge assigned to the case is not able
60 to conduct the hearing within 5 business days, an available
61 family division judge must conduct the hearing during regular
62 business hours. The court shall issue an order within 5 days
63 after the conclusion of the evidentiary hearing.

64 (b)1. Beginning July 1, 2027, and annually each July 1
65 thereafter, the Office of the State Courts Administrator shall
66 prepare and publish on its website a publicly accessible annual
67 report on evidentiary hearings held under paragraph (a) in each
68 judicial circuit. The report must include, at a minimum, all of
69 the following:

70 a. The number of evidentiary hearings held under
71 subparagraphs (a)1. and 2.

72 b. The average time from the filing of a motion to the
73 issue of an order.

74 c. Rates of compliance with the statutory timeframes for
75 rulings on motions.

76 2. Upon publication, the Office of the State Courts
77 Administrator shall submit the report to the President of the
78 Senate and the Speaker of the House of Representatives.

79 3. Reports prepared under this paragraph may not contain
80 personal identifying information of litigants or minor children.

81 4. The Supreme Court may adopt rules to implement this
82 paragraph, including data collection and reporting standards.

83 Section 2. Subsections (1) and (2) of section 742.031,
84 Florida Statutes, are amended to read:

85 742.031 Hearings; court orders for support, hospital
86 expenses, and attorney fees.—

87 (1) Hearings for the purpose of establishing or refuting

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the allegations of the complaint and answer must be held in the chambers and may be restricted to persons, in addition to the parties involved and their counsel, as the judge in his or her discretion may direct. The court shall determine the issues of paternity of the child and the ability of the parties ~~parents~~ to support the child. Each party's social security number must be recorded in the file containing the adjudication of paternity. If the court finds that the alleged father is the father of the child, it must so order. If appropriate, the court may order the father to pay the complainant, her guardian, or any other person assuming responsibility for the child moneys sufficient to pay reasonable attorney fees, hospital or medical expenses, cost of confinement, and any other expenses incident to the birth of the child and to pay all costs of the proceeding. Bills for pregnancy, childbirth, and scientific testing are admissible as evidence without requiring third-party foundation testimony and constitute prima facie evidence of amounts incurred for such services or for testing on behalf of the child. The court shall order either or both parties ~~parents~~ owing a duty of support to the child to pay support under chapter 61. The court must issue, upon motion by a party, a temporary order requiring child support for a minor child under s. 61.30 pending an administrative or judicial determination of parentage if there is clear and convincing evidence of paternity on the basis of genetic tests or other evidence. The court shall ~~may~~ also make a determination of an appropriate parenting plan, including a time-sharing schedule, in accordance with chapter 61.

~~(2) If a judgment of paternity contains only a child support award with no parenting plan or time sharing schedule,~~

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~~the obligee parent shall receive all of the time sharing and
sole parental responsibility without prejudice to the obligor
parent. If a paternity judgment contains no such provisions, the
mother shall be presumed to have all of the time sharing and
sole parental responsibility.~~

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