

CS/CS/HB 25 — Temporary and Concurrent Custody of a Child

by Criminal & Civil Justice Policy Council; Health Care Services Policy; and Rep. Glorioso (CS/CS/SB 334 by Criminal and Civil Justice Appropriations Committee; Judiciary Committee; and Senators Storms, Baker; and Crist)

The bill authorizes a court to order concurrent custody of a minor child to an extended family member who has physical custody of the child, but does not have signed, written documentation from a parent which is sufficient to enable the custodian to do things necessary to care for the child. The bill provides petition requirements for requesting concurrent custody and provides that if one of the minor child's parents objects to the petition, the petitioner may convert the petition to one for temporary custody.

The bill provides that concurrent custody may not eliminate or diminish the custodial rights of the parent, and the court must terminate an order for concurrent custody if one of the minor child's parents objects to the order. The bill allows an order granting concurrent custody to redirect all or part of an existing child support obligation to the extended family member who is granted concurrent custody of the child. However, at any time the person requesting temporary or concurrent custody or the child's parents may petition the court to modify the child support order.

The bill provides that an active-duty servicemember, upon deployment, may designate a family member or a stepparent to exercise the service member's time-sharing periods.

If approved by the Governor, these provisions take effect July 1, 2010.

Vote: Senate 38-0; House 113-0