

Committee on Children, Families, and Elder Affairs

CS/CS/HB 775 — Shared Parental Responsibility after Establishment of Paternity

by Judiciary Committee; Civil Justice Subcommittee; and Reps. Benjamin, Hawkins, and others (CS/CS/SB 1146 by Judiciary Committee; Children, Families, and Elder Affairs Committee; and Senator Yarborough)

The bill clarifies that after the birth of a child a parent may request a determination of parental responsibility and child support and for the creation of a parenting plan and timesharing schedule pursuant to ch. 61, F.S. Absent such a determination of parental responsibility and child support, a mother retains sole parental responsibility and there is no requirement for timesharing.

The bill requires that any action to establish paternity include a determination of parental responsibility and a parenting plan, establish a timesharing schedule, and child support. The bill attaches determinations of parental responsibility and timesharing to the establishment of paternity for a father under ch. 742, F.S.

The bill also clarifies that an unwed mother and a father who sign a voluntary acknowledgment of paternity or have established paternity through a court judgment are the natural guardians of the child. As such, they are subject to the rights and responsibilities of parents that a married parent would enjoy. If a father has not established paternity, the mother is the natural parent and is entitled to primary residential care and custody of the child.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 38-0; House 114-0