

Committee on Judiciary

CS/CS/HB 385 — Safe Exchange of Minor Children

by Judiciary Committee; Civil Justice Subcommittee; and Reps. Rudman, Cassel, and others
(CS/SB 580 by Judiciary Committee and Senators Yarborough, Broxson, Garcia, and Osgood)

In family law cases, the term “timesharing” refers to the court-ordered schedule of when minor children are with each parent. Inherent in establishing timesharing is the setting of the time and place to exchange physical custody of the child. Under the bill, a court must specify the locations for the exchange of a child pursuant to a timesharing schedule. If the court finds that there is a risk or imminent threat of harm to one party or a child at the exchange, the location of the exchange may be at a sheriff’s parking lot, which is designated by a sheriff as a safe exchange location, or the location of a supervised visitation program.

The bill requires each sheriff to designate at least one parking lot at the sheriff’s office or a substation as an available safe exchange location. The purpose is to provide a place where parents may bring their minor child for purposes of exchanging the child to comply with court-ordered timesharing. The location must be marked and have at least one surveillance camera with recordings maintained for at least 45 days. The bill does not require the sheriff to actively monitor the location. Moreover, the bill provides that a sheriff and the sheriff’s employees are not civilly liable for an incident that may occur as the result of the exchange of a child at a safe exchange location.

The bill is named the “Cassie Carli Law.” Cassie Carli is believed to have been kidnapped and murdered by the father of their daughter after meeting him for the purpose of timesharing.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2024.

Vote: Senate 37-1; House 115-0