

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
 ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
 ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
 FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
 WITHDRAWN \_\_\_\_\_ (Y/N)  
 OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Judiciary Committee  
 2 Representative Rouson offered the following:

**Amendment (with title amendment)**

Remove lines 31-52 and insert:

Section 1. Section 752.001, Florida Statutes, is amended  
 to read:

752.001 Definitions.—As used in ~~For purposes of~~ this  
 chapter, the term:

(1) "Grandparent" shall include great-grandparent.

(2) "Missing" means a person whose whereabouts are unknown  
 for a period of no less than 90 days and who cannot be located  
 after a diligent search and inquiry. Such search and inquiry  
 must include, at a minimum, inquiries of all relatives of the  
 person who can reasonably identified by the petitioner,  
 inquiries of hospitals in the areas where the person last  
 resided, inquiries of the person's recent employers, inquiries

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18 of state and federal agencies likely to have information about  
19 the person, inquiries of appropriate utility and postal  
20 providers, a thorough search of at least one electronic database  
21 specifically designed for locating persons, and inquiries of  
22 appropriate law enforcement agencies.

23 (3) "Persistent vegetative state" has the same meaning as  
24 provided in s. 765.101(12).

25 Section 2. Section 752.01, Florida Statutes, is repealed.

26 Section 3. Section 752.011, Florida Statutes, is created  
27 to read:

28 752.011 Petition for grandparent visitation of a minor  
29 child.—A grandparent of a minor child whose parents are  
30 deceased, missing, or in a persistent vegetative state, or whose  
31 one parent is deceased, missing, or in a persistent vegetative  
32 state and whose other parent has been convicted of a felony or  
33 an offense of violence evincing behavior that poses a  
34 substantial threat of harm to the minor child's health or  
35 welfare, may petition the court for court-ordered visitation  
36 with the grandchild under this section.

37 (1) Upon the filing of a petition by a grandparent for  
38 visitation, the court shall hold a preliminary hearing to  
39 determine whether the petitioner has made a prima facie showing  
40 of parental unfitness or significant harm to the child. Absent  
41 such a showing, the court shall dismiss the petition and may  
42 award reasonable attorney fees and costs to be paid by the  
43 petitioner to the respondent.

