	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	WITHDRAWN (Y/N)												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: Children, Families &												
2	Seniors Subcommittee												
3	Representative Roach offered the following:												
4													
5	Amendment (with title amendment)												
6	Remove everything after the enacting clause and insert:												
7	Section 1. Subsection (4) is added to section 751.01,												
8	Florida Statutes, to read:												
9	751.01 Purposes of act.—The purposes of this chapter are												
10	to:												
11	(4) Protect the welfare of minor children by allowing												
12	transitions of custody consistent with their best interest.												
13	Section 2. Section 751.011, Florida Statutes is amended to												
14	read:												
15	751.011 Definitions.—As used in this chapter, the term:												

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- (2) "Extended family member" means a person who is:
- (a) A relative of a minor child within the third degree by blood or marriage to the parent;  $\frac{\partial \mathbf{r}}{\partial \mathbf{r}}$
- (b) The stepparent of a minor child if the stepparent is currently married to the parent of the child and is not a party in a pending dissolution, separate maintenance, domestic violence, or other civil or criminal proceeding in any court of competent jurisdiction involving one or both of the child's parents as an adverse party; or
- (c) An individual who qualifies as "fictive kin" as defined in s. 39.01.
- Section 3. Subsection (2) of section 751.02, Florida Statutes, is amended to read:
- 751.02 Temporary or concurrent custody proceedings; jurisdiction.—
- (2) In addition to the requirements of subsection (1), an individual seeking concurrent custody must:
- (a) Currently have physical custody of the child  $\underline{\text{or}}$  and have had physical custody of the child for at least 10 days in any 30-day period within the last 12 months; and
- (b) Not have signed, written documentation from a parent which is sufficient to enable the custodian to do all of the

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things necessary to care for the child which are available to custodians who have an order issued under s. 751.05.

Section 4. Subsection (13) of section 751.03, Florida Statutes, is amended, and subsection (14) is added to that section, to read:

- 751.03 Petition for temporary or concurrent custody; contents.—Each petition for temporary or concurrent custody of a minor child must be verified by the petitioner, who must be an extended family member, and must contain statements, to the best of the petitioner's knowledge and belief, providing:
- (13) A statement of The period of time for which the petitioner is requesting temporary custody, including a statement of the reasons supporting that request.
- (14) Any other provisions that are related to the best interest of the child, including, but not limited to, a plan for transitioning custody.
- Section 5. Subsection (4), (6), and (7) of section 751.05, Florida Statutes, are amended to read:
  - 751.05 Order granting temporary or concurrent custody.-
  - (4) The order granting:
- (a) Concurrent custody of the minor child may not eliminate or diminish the custodial rights of the child's parent or parents. The order must expressly state that the grant of custody does not affect the ability of the child's parent or parents to obtain physical custody of the child at any time,

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except that the court may approve provisions requested in the petition which are related to the best interest of the child.

- (b) Temporary custody of the minor child to the petitioner may include provisions requested in the petition which are related to the best interest of the child and may also grant visitation rights to the child's parent or parents, if it is in the best interest of the child.
- (6) At any time, either or both of the child's parents may petition the court to modify or terminate the order granting temporary custody. The court shall terminate the order upon a finding that the parent is a fit parent, or by consent of the parties, except that the court may require the parties to comply with provisions approved in the order which are related to a plan for transitioning custody prior to terminating the order. The court may modify an order granting temporary custody if the parties consent or if modification is in the best interest of the child.
- (7) At any time, the petitioner or either or both of the child's parents may move the court to terminate the order granting concurrent custody.
- (a) The court shall terminate the order upon a finding that either or both of the child's parents object to the order.

  except that the court may require the parties to comply with provisions approved in the order which are related to a plan for transitioning custody prior to terminating the order.

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(b) The fact that an order for concurrent custody has been terminated does not preclude any person who is otherwise eligible to petition for temporary custody from filing such petition.

Section 6. This act shall take effect July 1, 2020.

## TITLE AMENDMENT

Remove everything before the enacting clause and insert: An act relating to custody of minor children by extended family; amending s. 751.01, F.S.; revising the purposes of ch. 751, F.S.; amending s. 751.011, F.S.; revising the definition of the term "extended family member"; amending s. 751.02, F.S.; revising the requirements for individuals seeking concurrent custody; amending s. 751.03, F.S.; allowing any other provisions related to the best interest of the child to be considered in a petition for temporary or concurrent custody; amending s. 751.05, F.S.; authorizing courts to include provisions requested in petitions for temporary or concurrent custody which relate to the best interest of the child; authorizing courts to require parties to comply with provisions approved in the order which relate to the transitioning of custody; providing an effective date.

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