

26 parties is dissolved and to encourage parents to share the
 27 rights and responsibilities, and joys, of childrearing. ~~Except~~
 28 ~~as otherwise provided in this paragraph,~~ There is a ~~no~~
 29 presumption that equal ~~for or against the father or mother of~~
 30 ~~the child or for or against any specific time-sharing with both~~
 31 parents is in the best interests of the minor child ~~schedule~~
 32 when creating or modifying the parenting plan of the child.

33 2. The court shall order that the parental responsibility
 34 for a minor child be shared by both parents unless the court
 35 finds that shared parental responsibility would be detrimental
 36 to the child. The following evidence creates a rebuttable
 37 presumption of detriment to the child:

38 a. A parent has been convicted of a misdemeanor of the
 39 first degree or higher involving domestic violence, as defined
 40 in s. 741.28 and chapter 775;

41 b. A parent meets the criteria of s. 39.806(1)(d); or

42 c. A parent has been convicted of or had adjudication
 43 withheld for an offense enumerated in s. 943.0435(1)(h)1.a., and
 44 at the time of the offense:

45 (I) The parent was 18 years of age or older.

46 (II) The victim was under 18 years of age or the parent
 47 believed the victim to be under 18 years of age.

48
 49 If the presumption is not rebutted after the convicted parent is
 50 advised by the court that the presumption exists, shared

51 | parental responsibility, including time-sharing with the child,
52 | and decisions made regarding the child, may not be granted to
53 | the convicted parent. However, the convicted parent is not
54 | relieved of any obligation to provide financial support. If the
55 | court determines that shared parental responsibility would be
56 | detrimental to the child, it may order sole parental
57 | responsibility and make such arrangements for time-sharing as
58 | specified in the parenting plan as will best protect the child
59 | or abused spouse from further harm. Whether or not there is a
60 | conviction of any offense of domestic violence or child abuse or
61 | the existence of an injunction for protection against domestic
62 | violence, the court shall consider evidence of domestic violence
63 | or child abuse as evidence of detriment to the child.

64 | 3. In ordering shared parental responsibility, the court
65 | may consider the expressed desires of the parents and may grant
66 | to one party the ultimate responsibility over specific aspects
67 | of the child's welfare or may divide those responsibilities
68 | between the parties based on the best interests of the child.
69 | Areas of responsibility may include education, health care, and
70 | any other responsibilities that the court finds unique to a
71 | particular family.

72 | 4. The court shall order sole parental responsibility for
73 | a minor child to one parent, with or without time-sharing with
74 | the other parent if it is in the best interests of the minor
75 | child.

76 5. There is a rebuttable presumption against granting
 77 time-sharing with a minor child if a parent has been convicted
 78 of or had adjudication withheld for an offense enumerated in s.
 79 943.0435(1)(h)1.a., and at the time of the offense:

80 a. The parent was 18 years of age or older.

81 b. The victim was under 18 years of age or the parent
 82 believed the victim to be under 18 years of age.

83

84 A parent may rebut the presumption upon a specific finding in
 85 writing by the court that the parent poses no significant risk
 86 of harm to the child and that time-sharing is in the best
 87 interests of the minor child. If the presumption is rebutted,
 88 the court shall consider all time-sharing factors in subsection
 89 (3) when developing a time-sharing schedule.

90 6. Access to records and information pertaining to a minor
 91 child, including, but not limited to, medical, dental, and
 92 school records, may not be denied to either parent. Full rights
 93 under this subparagraph apply to either parent unless a court
 94 order specifically revokes these rights, including any
 95 restrictions on these rights as provided in a domestic violence
 96 injunction. A parent having rights under this subparagraph has
 97 the same rights upon request as to form, substance, and manner
 98 of access as are available to the other parent of a child,
 99 including, without limitation, the right to in-person
 100 communication with medical, dental, and education providers.

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101 Section 2. Section 409.25633, Florida Statutes, is amended
102 to read:

103 409.25633 Title IV-D Standard Parenting Time Plans.—The
104 best interests ~~interest~~ of the child is the primary
105 consideration of the parenting plan, and special consideration
106 should be given to the age and needs of each child. There is a
107 ~~no~~ presumption that equal for or against the father or mother of
108 ~~the child or for or against any specific~~ time-sharing with both
109 parents is in the best interests of the minor child ~~schedule~~
110 when a parenting time plan is created.

111 (1) A Title IV-D Standard Parenting Time Plan shall be
112 presented to the parents in any administrative action taken by
113 the Title IV-D program to establish or modify child support or
114 to determine paternity. If the parents agree to the Title IV-D
115 Standard Parenting Time Plan or to another parenting time plan,
116 the plan must be signed by the parents and incorporated into the
117 administrative order. If the parents do not agree to a Title IV-
118 D Standard Parenting Time Plan or if an agreed-upon parenting
119 time plan is not included, the Department of Revenue must enter
120 an administrative support order and refer the parents to the
121 court of appropriate jurisdiction to establish a parenting time
122 plan. The department must note on the referral that an
123 administrative support order has been entered. If a parenting
124 time plan is not included in the administrative support order
125 entered pursuant to s. 409.2563, the department must provide

126 information to the parents on the process to establish such a
 127 plan.

128 (2) After the incorporation of an agreed-upon parenting
 129 time plan into an administrative order, a modification or
 130 enforcement of the parenting time plan may be sought through a
 131 court of appropriate jurisdiction.

132 (3) The parent who owes support is entitled to parenting
 133 time with the child. If the parents do not have a signed,
 134 agreed-upon parenting time plan, the following Title IV-D
 135 Standard Parenting Time Plan must be incorporated into an
 136 administrative support order if agreed to and signed by the
 137 parents:

138 (a) Every other weekend.—The second and fourth full
 139 weekend of the month from 6 p.m. on Friday through 6 p.m. on
 140 Sunday. The weekends may begin upon the child's release from
 141 school on Friday and end on Sunday at 6 p.m. or when the child
 142 returns to school on Monday morning. The weekend time may be
 143 extended by holidays that fall on Friday or Monday.~~†~~

144 (b) One evening per week.—One weekday beginning at 6 p.m.
 145 and ending at 8 p.m. or, if both parents agree, from when the
 146 child is released from school until 8 p.m.~~†~~

147 (c) Thanksgiving break.—In even-numbered years, the
 148 Thanksgiving break from 6 p.m. on the Wednesday before
 149 Thanksgiving until 6 p.m. on the Sunday following Thanksgiving.
 150 If both parents agree, the Thanksgiving break parenting time may

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151 begin upon the child's release from school and end upon the
152 child's return to school the following Monday.†

153 (d) Winter break.—In odd-numbered years, the first half of
154 winter break, from the child's release from school, beginning at
155 6 p.m. or, if both parents agree, upon the child's release from
156 school, until noon on December 26. In even-numbered years, the
157 second half of winter break from noon on December 26 until 6
158 p.m. on the day before school resumes or, if both parents agree,
159 upon the child's return to school.†

160 (e) Spring break.—In even-numbered years, the week of
161 spring break from 6 p.m. the day the child is released from
162 school until 6 p.m. the night before school resumes. If both
163 parents agree, the spring break parenting time may begin upon
164 the child's release from school and end upon the child's return
165 to school the following Monday.~~†~~† and

166 (f) Summer break.—For 2 weeks in the summer beginning at 6
167 p.m. the first Sunday following the last day of school.

168 (4) In the event the parents have not agreed on a
169 parenting schedule at the time of the child support hearing, the
170 department shall enter an administrative support order and refer
171 the parents to a court of appropriate jurisdiction for the
172 establishment of a parenting time plan.

173 (5) The Title IV-D Standard Parenting Time Plan is not
174 intended for the use by, and may not be provided to, parents and
175 families with domestic or family violence concerns.

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176 (6) If, after the incorporation of an agreed-upon
177 parenting time plan into an administrative support order, a
178 parent becomes concerned about the safety of the child during
179 the child's time with the other parent, a modification of the
180 parenting time plan may be sought through a court of appropriate
181 jurisdiction.

182 (7) The department shall create and provide a form for a
183 petition to establish a parenting time plan for parents who have
184 not agreed on a parenting schedule at the time of the child
185 support hearing. The department shall provide the form to the
186 parents, but may not file the petition or represent either
187 parent at the hearing.

188 (8) The parents are ~~may~~ not ~~be~~ required to pay a fee to
189 file the petition to establish a parenting plan.

190 (9) The department may adopt rules to implement and
191 administer this section.

192 Section 3. This act shall take effect July 1, 2022.