

1                   A bill to be entitled  
2           An act relating to dissolution of marriage; amending  
3           s. 61.08, F.S.; making technical changes; authorizing  
4           the court to consider the adultery of either spouse  
5           and any resulting economic impact in determining the  
6           amount of alimony awarded; requiring the court to make  
7           certain written findings in its awards of alimony;  
8           authorizing the court to award a combination of forms  
9           of alimony or forms of payment for certain purposes;  
10          providing a burden of proof for the party seeking  
11          support, maintenance, or alimony; requiring the court  
12          to make written findings under certain circumstances;  
13          revising factors that the court must consider in  
14          determining the form or forms of support, maintenance,  
15          or alimony; requiring the court to make specific  
16          findings regarding the purchase or maintenance of a  
17          life insurance policy or a bond to secure alimony;  
18          authorizing the court to apportion costs of such  
19          policies or bonds; modifying certain rebuttable  
20          presumptions related to the duration of a marriage for  
21          purposes of determining alimony; prohibiting the  
22          length of an award of rehabilitative alimony from  
23          exceeding a specified timeframe; revising a provision  
24          authorizing the modification of rehabilitative alimony  
25          upon completion of the rehabilitative plan; revising

26 | provisions related to durational alimony; prohibiting  
27 | the length of an award of durational alimony from  
28 | exceeding specified timeframes; authorizing the court  
29 | to extend durational alimony under certain  
30 | circumstances; specifying the calculation of  
31 | durational alimony; removing a provision authorizing  
32 | the court to award permanent alimony; providing  
33 | applicability; amending s. 61.13, F.S.; removing the  
34 | unanticipated change of circumstances requirement  
35 | regarding modifying a parenting plan and time-sharing  
36 | schedule; authorizing the court to consider a certain  
37 | relocation of a parent as a substantial and material  
38 | change for the purpose of a modification to the time-  
39 | sharing schedule, subject to a certain determination;  
40 | amending s. 61.14, F.S.; requiring the court to reduce  
41 | or terminate support, maintenance, or alimony under  
42 | certain circumstances; clarifying provisions relating  
43 | to supportive relationships; specifying burdens of  
44 | proof for the obligor and obligee when the court must  
45 | determine that a supportive relationship exists or has  
46 | existed and the extent to which an award of support,  
47 | maintenance, or alimony should be reduced or  
48 | terminated; requiring the court to make certain  
49 | written findings; revising the additional factors the  
50 | court must consider regarding supportive

51 relationships; revising construction and  
 52 applicability; authorizing the court to reduce or  
 53 terminate an award of support, maintenance, or alimony  
 54 upon specific written findings of fact regarding the  
 55 obligor's retirement; providing burdens of proof for  
 56 the obligor and obligee; requiring the court to make  
 57 written findings regarding specified factors when  
 58 deciding whether to reduce or terminate support,  
 59 maintenance, or alimony; authorizing the obligor to  
 60 file a petition within a certain timeframe to modify  
 61 or terminate his or her support, maintenance, or  
 62 alimony obligation in anticipation of retirement;  
 63 requiring the court to consider certain factors and  
 64 make certain written findings; amending s. 741.0306,  
 65 F.S.; revising the information contained in a certain  
 66 family law handbook; conforming a provision to changes  
 67 made by the act; providing an effective date.

68  
 69 Be It Enacted by the Legislature of the State of Florida:

70  
 71 Section 1. Section 61.08, Florida Statutes, is amended to  
 72 read:

73 61.08 Alimony.—

74 (1) (a) In a proceeding for dissolution of marriage, the  
 75 court may grant alimony to either party in the form or forms of

76 temporary, which alimony may be bridge-the-gap, rehabilitative,  
77 or durational alimony, as is equitable or permanent in nature or  
78 any combination of these forms of alimony. In an any award of  
79 alimony, the court may order periodic or lump sum payments ~~or~~  
80 payments in lump sum or both. The court may consider the  
81 adultery of either spouse and any resulting economic impact in  
82 determining the amount of alimony, if any, to be awarded.

83 (b) The court shall make written findings of fact  
84 regarding the basis for awarding a form or any combination of  
85 forms of alimony, including the type of alimony and the length  
86 of time for which the alimony is awarded. The court may award a  
87 combination of forms of alimony or forms of payment, including  
88 lump sum payments, to provide greater economic assistance in  
89 order to allow the obligee to achieve self-support ~~The court may~~  
90 ~~consider the adultery of either spouse and the circumstances~~  
91 ~~thereof in determining the amount of alimony, if any, to be~~  
92 ~~awarded. In all dissolution actions, the court shall include~~  
93 ~~findings of fact relative to the factors enumerated in~~  
94 ~~subsection (2) supporting an award or denial of alimony.~~

95 (2)(a) In determining whether to award support,  
96 maintenance, or alimony or maintenance, the court shall first  
97 make a specific, factual determination as to whether the ~~either~~  
98 party seeking support, maintenance, or alimony has an actual  
99 need for it ~~alimony or maintenance~~ and whether the other ~~either~~  
100 party has the ability to pay support, maintenance, or alimony or

101 ~~maintenance.~~ The party seeking support, maintenance, or alimony  
 102 has the burden of proving his or her need for support,  
 103 maintenance, or alimony and the other party's ability to pay  
 104 support, maintenance, or alimony.

105 (b) When determining a support, maintenance, or alimony  
 106 claim, the court shall include written findings of fact relative  
 107 to the factors provided in subsection (3) supporting an award or  
 108 denial of support, maintenance, or alimony, unless the denial is  
 109 based upon a failure to establish a need for or ability to pay  
 110 support, maintenance, or alimony. However, the court shall make  
 111 written findings of fact as to the lack of need or lack of  
 112 ability to pay in denying a request for support, maintenance, or  
 113 alimony.

114 (3) If the court finds that the a party seeking support,  
 115 maintenance, or alimony has a need for it alimony or maintenance  
 116 and that the other party has the ability to pay support,  
 117 maintenance, or alimony or maintenance, then in determining the  
 118 proper form or forms type and amount of support, maintenance, or  
 119 alimony or maintenance under subsections (5)-(8), or a deviation  
 120 therefrom, the court shall consider all of the following  
 121 relevant factors, including, but not limited to:

122 (b)-(a) The standard of living established during the  
 123 marriage and the anticipated needs and necessities of life for  
 124 each party after the entry of the final judgment.

125 (a)-(b) The duration of the marriage.

126 (c) The age, ~~and the~~ physical, mental, and emotional  
127 condition of each party, including whether either party is  
128 physically or mentally disabled and the resulting impact on  
129 either the obligee's ability to provide for his or her own needs  
130 or the obligor's ability to pay alimony and whether such  
131 conditions are expected to be temporary or permanent.

132 (d) The ~~financial~~ resources and income of each party,  
133 including the income generated from both nonmarital and the  
134 marital assets and liabilities distributed to each.

135 (e) The earning capacities, educational levels, vocational  
136 skills, and employability of the parties, including the ability  
137 of either party to obtain the necessary skills or education to  
138 become self-supporting or to contribute to his or her self-  
139 support prior to the termination of the support, maintenance, or  
140 alimony award and, when applicable, the time necessary for  
141 either party to acquire sufficient education or training to  
142 enable such party to find appropriate employment.

143 (f) The contribution of each party to the marriage,  
144 including, but not limited to, services rendered in homemaking,  
145 child care, education, and career building of the other party.

146 (g) The responsibilities each party will have with regard  
147 to any minor children whom the parties they have in common, with  
148 special consideration given to the need to care for a child with  
149 a mental or physical disability.

150 (h) ~~The tax treatment and consequences to both parties of~~

151 ~~any alimony award, including the designation of all or a portion~~  
152 ~~of the payment as a nontaxable, nondeductible payment.~~

153 ~~(i) All sources of income available to either party,~~  
154 ~~including income available to either party through investments~~  
155 ~~of any asset held by that party.~~

156 ~~(j)~~ Any other factor necessary for ~~to de~~ equity and  
157 justice between the parties, which shall be specifically  
158 identified in the written findings of fact. This may include a  
159 finding of a supportive relationship as provided for in s.  
160 61.14(1)(b) or a reasonable retirement as provided for in s.  
161 61.14(1)(c)1.

162 ~~(4)-(3)~~ To the extent necessary to protect an award of  
163 alimony, the court may order the obligor ~~any party who is~~  
164 ~~ordered to pay alimony~~ to purchase or maintain a life insurance  
165 policy or a bond, or to otherwise secure such alimony award with  
166 any other assets that ~~which~~ may be suitable for that purpose.  
167 The court must make specific findings that there are special  
168 circumstances that warrant the purchase or maintenance of a life  
169 insurance policy or a bond to secure the alimony award. If the  
170 court orders a party to purchase or maintain a life insurance  
171 policy or a bond, the court may apportion the costs of such  
172 insurance or bond to either or both parties based upon a  
173 determination of the ability of the obligee and obligor to pay  
174 such costs.

175 ~~(5)-(4)~~ For purposes of determining alimony, there is a

176 rebuttable presumption that a short-term marriage is a marriage  
 177 having a duration of less than 10 7 years, a moderate-term  
 178 marriage is a marriage having a duration between 10 and 20 ~~of~~  
 179 ~~greater than 7 years but less than 17~~ years, and a long-term  
 180 marriage is a marriage having a duration of 20 ~~17~~ years or  
 181 longer ~~greater~~. The length of a marriage is the period of time  
 182 from the date of marriage until the date of filing of an action  
 183 for dissolution of marriage.

184 (6) ~~(5)~~ Bridge-the-gap alimony may be awarded to provide  
 185 support to assist a party in making the ~~by providing support to~~  
 186 ~~allow the party to make a~~ transition from being married to being  
 187 single. Bridge-the-gap alimony assists ~~is designed to assist~~ a  
 188 party with legitimate identifiable short-term needs, ~~and~~ The  
 189 length of an award of bridge-the-gap alimony may not exceed 2  
 190 years. An award of bridge-the-gap alimony terminates upon the  
 191 death of either party or upon the remarriage of the obligee  
 192 ~~party receiving alimony~~. An award of bridge-the-gap alimony is  
 193 ~~shall~~ not be modifiable in amount or duration.

194 (7) (a) ~~(6) (a)~~ Rehabilitative alimony may be awarded to  
 195 assist a party in establishing the capacity for self-support  
 196 through either:

- 197 1. The redevelopment of previous skills or credentials; or
- 198 2. The acquisition of education, training, or work
- 199 experience necessary to develop appropriate employment skills or
- 200 credentials.



201 (b) In order to award rehabilitative alimony, there must  
 202 be a specific and defined rehabilitative plan ~~which shall be~~  
 203 included as a part of any order awarding rehabilitative alimony.

204 (c) The length of an award of rehabilitative alimony may  
 205 not exceed 5 years.

206 (d) An award of rehabilitative alimony may be modified or  
 207 terminated in accordance with s. 61.14 based upon a substantial  
 208 change in circumstances, upon noncompliance with the  
 209 rehabilitative plan, or upon completion of the rehabilitative  
 210 plan if the plan is completed before the length of the award of  
 211 rehabilitative alimony expires.

212 ~~(8)(a)-(7)~~ Durational alimony may be awarded ~~when permanent~~  
 213 ~~periodic alimony is inappropriate. The purpose of durational~~  
 214 ~~alimony is to provide a party with economic assistance for a set~~  
 215 ~~period of time following a marriage of short or moderate~~  
 216 ~~duration or following a marriage of long duration if there is no~~  
 217 ~~ongoing need for support on a permanent basis.~~ An award of  
 218 durational alimony terminates upon the death of either party or  
 219 upon the remarriage of the obligee ~~party receiving alimony~~. The  
 220 amount of an award of durational alimony may be modified or  
 221 terminated based upon a substantial change in circumstances in  
 222 accordance with s. 61.14. Durational alimony may not be awarded  
 223 following a marriage lasting less than 3 years. ~~However,~~ The  
 224 length of an award of durational alimony may not be modified  
 225 except under exceptional circumstances and may not exceed the

226 | length of the marriage except as set forth in this subsection.

227 |     (b) An award of durational alimony may not exceed 50  
228 | percent of the length of a short-term marriage, 60 percent of  
229 | the length of a moderate-term marriage, or 75 percent of the  
230 | length of a long-term marriage. Under exceptional circumstances,  
231 | the court may extend the term of durational alimony by a showing  
232 | of clear and convincing evidence that it is necessary after  
233 | application of the factors in subsection (3) and upon  
234 | consideration of all of the following additional factors:

235 |     1. The extent to which the obligee's age and employability  
236 | limit the obligee's ability for self-support, either in whole or  
237 | in part.

238 |     2. The extent to which the obligee's available financial  
239 | resources limit the obligee's ability for self-support, either  
240 | in whole or in part.

241 |     3. The extent to which the obligee is mentally or  
242 | physically disabled or has been diagnosed with a mental or  
243 | physical condition that has rendered, or will render, him or her  
244 | incapable of self-support, either in whole or in part.

245 |     4. The extent to which the obligee is the caregiver to a  
246 | mentally or physically disabled child, whether or not the child  
247 | has attained the age of majority, who is common to the parties.  
248 | Any extension terminates upon the child no longer requiring  
249 | caregiving by the obligee, or upon death of the child, unless  
250 | one of the other factors in this paragraph apply.

251        (c) The amount of durational alimony is the amount  
252        determined to be the obligee's reasonable need, or an amount not  
253        to exceed 35 percent of the difference between the parties' net  
254        incomes, whichever amount is less. Net income shall be  
255        calculated in conformity with s. 61.30(2) and (3), excluding  
256        spousal support paid pursuant to a court order in the action  
257        between the parties.

258        ~~(8) Permanent alimony may be awarded to provide for the~~  
259        ~~needs and necessities of life as they were established during~~  
260        ~~the marriage of the parties for a party who lacks the financial~~  
261        ~~ability to meet his or her needs and necessities of life~~  
262        ~~following a dissolution of marriage. Permanent alimony may be~~  
263        ~~awarded following a marriage of long duration if such an award~~  
264        ~~is appropriate upon consideration of the factors set forth in~~  
265        ~~subsection (2), following a marriage of moderate duration if~~  
266        ~~such an award is appropriate based upon clear and convincing~~  
267        ~~evidence after consideration of the factors set forth in~~  
268        ~~subsection (2), or following a marriage of short duration if~~  
269        ~~there are written findings of exceptional circumstances. In~~  
270        ~~awarding permanent alimony, the court shall include a finding~~  
271        ~~that no other form of alimony is fair and reasonable under the~~  
272        ~~circumstances of the parties. An award of permanent alimony~~  
273        ~~terminates upon the death of either party or upon the remarriage~~  
274        ~~of the party receiving alimony. An award may be modified or~~  
275        ~~terminated based upon a substantial change in circumstances or~~

276 ~~upon the existence of a supportive relationship in accordance~~  
 277 ~~with s. 61.14.~~

278 (9) The award of alimony may not leave the payor with  
 279 significantly less net income than the net income of the  
 280 recipient unless there are written findings of exceptional  
 281 circumstances.

282 (10) (a) With respect to any order requiring the payment of  
 283 alimony entered on or after January 1, 1985, unless ~~the~~  
 284 ~~provisions of~~ paragraph (c) or paragraph (d) applies ~~apply~~, the  
 285 court shall direct in the order that the payments of alimony be  
 286 made through the appropriate depository as provided in s.  
 287 61.181.

288 (b) With respect to any order requiring the payment of  
 289 alimony entered before January 1, 1985, upon the subsequent  
 290 appearance<sub>7</sub> on or after that date<sub>7</sub> of one or both parties before  
 291 the court having jurisdiction for the purpose of modifying or  
 292 enforcing the order or in any other proceeding related to the  
 293 order<sub>7</sub> or upon the application of either party, unless ~~the~~  
 294 ~~provisions of~~ paragraph (c) or paragraph (d) applies ~~apply~~, the  
 295 court shall modify the terms of the order as necessary to direct  
 296 that payments of alimony be made through the appropriate  
 297 depository as provided in s. 61.181.

298 (c) If there is no minor child, alimony payments need not  
 299 be directed through the depository.

300 (d)1. If there is a minor child of the parties and both

301 parties so request, the court may order that alimony payments  
 302 need not be directed through the depository. In this case, the  
 303 order of support must ~~shall~~ provide, or be deemed to provide,  
 304 that either party may subsequently apply to the depository to  
 305 require that payments be made through the depository. The court  
 306 shall provide a copy of the order to the depository.

307 2. If ~~the provisions of~~ subparagraph 1. applies ~~apply~~,  
 308 either party may subsequently file with the depository an  
 309 affidavit alleging default or arrearages in payment and stating  
 310 that the party wishes to initiate participation in the  
 311 depository program. The party shall provide copies of the  
 312 affidavit to the court and the other party or parties. Fifteen  
 313 days after receipt of the affidavit, the depository shall notify  
 314 all parties that future payments must ~~shall~~ be directed to the  
 315 depository.

316 3. In IV-D cases, the IV-D agency has ~~shall have~~ the same  
 317 rights as the obligee in requesting that payments be made  
 318 through the depository.

319 (11) The court shall apply this section to all initial  
 320 petitions for dissolution of marriage or support unconnected  
 321 with dissolution of marriage pending or filed on or after July  
 322 1, 2023.

323 Section 2. Paragraph (c) of subsection (2) and subsection  
 324 (3) of section 61.13, Florida Statutes, are amended to read:

325 61.13 Support of children; parenting and time-sharing;

326 powers of court.—

327 (2)

328 (c) The court shall determine all matters relating to  
 329 parenting and time-sharing of each minor child of the parties in  
 330 accordance with the best interests of the child and in  
 331 accordance with the Uniform Child Custody Jurisdiction and  
 332 Enforcement Act, except that modification of a parenting plan  
 333 and time-sharing schedule requires a showing of a substantial  
 334 and, material, ~~and unanticipated~~ change of circumstances.

335 1. It is the public policy of this state that each minor  
 336 child has frequent and continuing contact with both parents  
 337 after the parents separate or the marriage of the parties is  
 338 dissolved and to encourage parents to share the rights and  
 339 responsibilities, and joys, of childrearing. Except as otherwise  
 340 provided in this paragraph, there is no presumption for or  
 341 against the father or mother of the child or for or against any  
 342 specific time-sharing schedule when creating or modifying the  
 343 parenting plan of the child.

344 2. The court shall order that the parental responsibility  
 345 for a minor child be shared by both parents unless the court  
 346 finds that shared parental responsibility would be detrimental  
 347 to the child. The following evidence creates a rebuttable  
 348 presumption of detriment to the child:

349 a. A parent has been convicted of a misdemeanor of the  
 350 first degree or higher involving domestic violence, as defined

351 in s. 741.28 and chapter 775;

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

353 c. A parent has been convicted of or had adjudication

354 withheld for an offense enumerated in s. 943.0435(1)(h)1.a., and

355 at the time of the offense:

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

357 (II) The victim was under 18 years of age or the parent

358 believed the victim to be under 18 years of age.

359

360 If the presumption is not rebutted after the convicted parent is

361 advised by the court that the presumption exists, shared

362 parental responsibility, including time-sharing with the child,

363 and decisions made regarding the child, may not be granted to

364 the convicted parent. However, the convicted parent is not

365 relieved of any obligation to provide financial support. If the

366 court determines that shared parental responsibility would be

367 detrimental to the child, it may order sole parental

368 responsibility and make such arrangements for time-sharing as

369 specified in the parenting plan as will best protect the child

370 or abused spouse from further harm. Whether or not there is a

371 conviction of any offense of domestic violence or child abuse or

372 the existence of an injunction for protection against domestic

373 violence, the court shall consider evidence of domestic violence

374 or child abuse as evidence of detriment to the child.

375 3. In ordering shared parental responsibility, the court

376 | may consider the expressed desires of the parents and may grant  
377 | to one party the ultimate responsibility over specific aspects  
378 | of the child's welfare or may divide those responsibilities  
379 | between the parties based on the best interests of the child.  
380 | Areas of responsibility may include education, health care, and  
381 | any other responsibilities that the court finds unique to a  
382 | particular family.

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

387 |         5. There is a rebuttable presumption against granting  
388 | time-sharing with a minor child if a parent has been convicted  
389 | of or had adjudication withheld for an offense enumerated in s.  
390 | 943.0435(1)(h)1.a., and at the time of the offense:

391 |             a. The parent was 18 years of age or older.

392 |             b. The victim was under 18 years of age or the parent  
393 | believed the victim to be under 18 years of age.

394 |

395 | A parent may rebut the presumption upon a specific finding in  
396 | writing by the court that the parent poses no significant risk  
397 | of harm to the child and that time-sharing is in the best  
398 | interests of the minor child. If the presumption is rebutted,  
399 | the court shall consider all time-sharing factors in subsection  
400 | (3) when developing a time-sharing schedule.



401           6. Access to records and information pertaining to a minor  
 402 child, including, but not limited to, medical, dental, and  
 403 school records, may not be denied to either parent. Full rights  
 404 under this subparagraph apply to either parent unless a court  
 405 order specifically revokes these rights, including any  
 406 restrictions on these rights as provided in a domestic violence  
 407 injunction. A parent having rights under this subparagraph has  
 408 the same rights upon request as to form, substance, and manner  
 409 of access as are available to the other parent of a child,  
 410 including, without limitation, the right to in-person  
 411 communication with medical, dental, and education providers.

412           (3) For purposes of establishing or modifying parental  
 413 responsibility and creating, developing, approving, or modifying  
 414 a parenting plan, including a time-sharing schedule, which  
 415 governs each parent's relationship with his or her minor child  
 416 and the relationship between each parent with regard to his or  
 417 her minor child, the best interests ~~interest~~ of the child must  
 418 ~~shall~~ be the primary consideration. A determination of parental  
 419 responsibility, a parenting plan, or a time-sharing schedule may  
 420 not be modified without a showing of a substantial and,  
 421 ~~material, and unanticipated~~ change in circumstances and a  
 422 determination that the modification is in the best interests of  
 423 the child. If the parents of a child are residing greater than  
 424 50 miles apart at the time of the entry of the last order  
 425 establishing time sharing and a parent moves within 50 miles of

426 the other parent, then that move may be considered a substantial  
427 and material change in circumstances for the purpose of a  
428 modification to the time-sharing schedule, so long as there is a  
429 determination that the modification is in the best interests of  
430 the child. Determination of the best interests of the child must  
431 ~~shall~~ be made by evaluating all of the factors affecting the  
432 welfare and interests of the particular minor child and the  
433 circumstances of that family, including, but not limited to:

434 (a) The demonstrated capacity and disposition of each  
435 parent to facilitate and encourage a close and continuing  
436 parent-child relationship, to honor the time-sharing schedule,  
437 and to be reasonable when changes are required.

438 (b) The anticipated division of parental responsibilities  
439 after the litigation, including the extent to which parental  
440 responsibilities will be delegated to third parties.

441 (c) The demonstrated capacity and disposition of each  
442 parent to determine, consider, and act upon the needs of the  
443 child as opposed to the needs or desires of the parent.

444 (d) The length of time the child has lived in a stable,  
445 satisfactory environment and the desirability of maintaining  
446 continuity.

447 (e) The geographic viability of the parenting plan, with  
448 special attention paid to the needs of school-age children and  
449 the amount of time to be spent traveling to effectuate the  
450 parenting plan. This factor does not create a presumption for or

451 against relocation of either parent with a child.

452 (f) The moral fitness of the parents.

453 (g) The mental and physical health of the parents.

454 (h) The home, school, and community record of the child.

455 (i) The reasonable preference of the child, if the court  
456 deems the child to be of sufficient intelligence, understanding,  
457 and experience to express a preference.

458 (j) The demonstrated knowledge, capacity, and disposition  
459 of each parent to be informed of the circumstances of the minor  
460 child, including, but not limited to, the child's friends,  
461 teachers, medical care providers, daily activities, and favorite  
462 things.

463 (k) The demonstrated capacity and disposition of each  
464 parent to provide a consistent routine for the child, such as  
465 discipline, and daily schedules for homework, meals, and  
466 bedtime.

467 (l) The demonstrated capacity of each parent to  
468 communicate with and keep the other parent informed of issues  
469 and activities regarding the minor child, and the willingness of  
470 each parent to adopt a unified front on all major issues when  
471 dealing with the child.

472 (m) Evidence of domestic violence, sexual violence, child  
473 abuse, child abandonment, or child neglect, regardless of  
474 whether a prior or pending action relating to those issues has  
475 been brought. If the court accepts evidence of prior or pending

476 actions regarding domestic violence, sexual violence, child  
477 abuse, child abandonment, or child neglect, the court must  
478 specifically acknowledge in writing that such evidence was  
479 considered when evaluating the best interests of the child.

480 (n) Evidence that either parent has knowingly provided  
481 false information to the court regarding any prior or pending  
482 action regarding domestic violence, sexual violence, child  
483 abuse, child abandonment, or child neglect.

484 (o) The particular parenting tasks customarily performed  
485 by each parent and the division of parental responsibilities  
486 before the institution of litigation and during the pending  
487 litigation, including the extent to which parenting  
488 responsibilities were undertaken by third parties.

489 (p) The demonstrated capacity and disposition of each  
490 parent to participate and be involved in the child's school and  
491 extracurricular activities.

492 (q) The demonstrated capacity and disposition of each  
493 parent to maintain an environment for the child which is free  
494 from substance abuse.

495 (r) The capacity and disposition of each parent to protect  
496 the child from the ongoing litigation as demonstrated by not  
497 discussing the litigation with the child, not sharing documents  
498 or electronic media related to the litigation with the child,  
499 and refraining from disparaging comments about the other parent  
500 to the child.

501 (s) The developmental stages and needs of the child and  
 502 the demonstrated capacity and disposition of each parent to meet  
 503 the child's developmental needs.

504 (t) Any other factor that is relevant to the determination  
 505 of a specific parenting plan, including the time-sharing  
 506 schedule.

507 Section 3. Present paragraphs (c) and (d) of subsection  
 508 (1) of section 61.14, Florida Statutes, are redesignated as  
 509 paragraphs (d) and (e), respectively, a new paragraph (c) is  
 510 added to that subsection, and paragraph (b) of that subsection  
 511 is amended, to read:

512 61.14 Enforcement and modification of support,  
 513 maintenance, or alimony agreements or orders.—

514 (1)

515 (b)1. The court must ~~may~~ reduce or terminate an award of  
 516 support, maintenance, or alimony upon specific written findings  
 517 by the court that ~~since the granting of a divorce and the award~~  
 518 ~~of alimony~~ a supportive relationship has existed between the  
 519 obligee and a person who is not related to the obligee by  
 520 consanguinity or affinity ~~with whom the obligee resides. On the~~  
 521 ~~issue of whether alimony should be reduced or terminated under~~  
 522 ~~this paragraph, the burden is on the obligor to prove by a~~  
 523 ~~preponderance of the evidence that a supportive relationship~~  
 524 ~~exists.~~

525 2. In determining the nature of the relationship between

526 | an obligee and another person and the extent to which an ~~whether~~  
527 | ~~an existing~~ award of support, maintenance, or alimony should be  
528 | reduced or terminated because of the existence of a ~~an alleged~~  
529 | supportive relationship between an obligee and a person who is  
530 | not related by consanguinity or affinity, the court shall make  
531 | written findings of fact ~~and with whom the obligee resides, the~~  
532 | ~~court shall elicit the nature and extent of the relationship in~~  
533 | ~~question.~~ The burden is on the obligor to prove, by a  
534 | preponderance of the evidence, that a supportive relationship  
535 | exists or has existed in the 365 days before the filing of the  
536 | petition for dissolution of marriage, separate maintenance, or  
537 | supplemental petition for modification. If a supportive  
538 | relationship is proven to exist or to have existed, the burden  
539 | shifts to the obligee to prove, by a preponderance of the  
540 | evidence, that the court should not deny or reduce an initial  
541 | award of support, maintenance, or alimony or reduce or terminate  
542 | an existing award of support, maintenance, or alimony. The court  
543 | shall consider and make written findings of fact regarding all  
544 | relevant facts in s. 61.08(3) and ~~give consideration, without~~  
545 | ~~limitation, to circumstances, including, but not limited to, the~~  
546 | following additional factors, ~~in determining the relationship of~~  
547 | ~~an obligee to another person:~~

548 |       a. The extent to which the obligee and the other person  
549 | have held themselves out as a married couple by engaging in  
550 | conduct such as using the same last name, using a common mailing

551 address, referring to each other in terms such as "my husband"  
 552 or "my wife," or otherwise conducting themselves in a manner  
 553 that evidences a permanent supportive relationship.

554 b. The period of time that the obligee has resided with  
 555 the other person ~~in a permanent place of abode~~.

556 c. The extent to which the obligee and the other person  
 557 have pooled their assets or income, acquired or maintained a  
 558 joint bank account or other financial accounts, or otherwise  
 559 exhibited financial interdependence.

560 d. The extent to which the obligee or the other person has  
 561 financially supported the other, in whole or in part, including  
 562 payment of the other's debts, expenses, or liabilities.

563 e. The extent to which the obligee or the other person has  
 564 performed valuable services for the other.

565 f. The extent to which the obligee or the other person has  
 566 performed valuable services for the other's business entity  
 567 ~~company~~ or employer.

568 g. The extent to which ~~whether~~ the obligee and the other  
 569 person have worked together to acquire any assets ~~create~~ or to  
 570 enhance the anything of value of any assets.

571 h. The extent to which ~~whether~~ the obligee and the other  
 572 person have jointly contributed to the purchase of any real or  
 573 personal property.

574 i. The extent to which ~~Evidence in support of a claim that~~  
 575 the obligee and the other person have an express or implied

576 agreement regarding property sharing or financial support.

577 j. The extent to which the obligor has paid the existing  
578 alimony award or failed to do so and the existence and amount of  
579 any arrearage ~~Evidence in support of a claim that the obligee~~  
580 ~~and the other person have an implied agreement regarding~~  
581 ~~property sharing or support.~~

582 k. The extent to which ~~Whether~~ the obligee and the other  
583 person have provided support to the children or other family  
584 members of one another, regardless of any legal duty to do so.

585 3. This paragraph does not abrogate the requirement that  
586 every marriage in this state be solemnized under a license, does  
587 not recognize a common law marriage as valid, and does not  
588 recognize a de facto marriage. This paragraph recognizes ~~only~~  
589 that relationships ~~do~~ exist that provide financial or economic  
590 support equivalent to a marriage and that support, maintenance,  
591 or alimony must be modified or terminated if such a relationship  
592 is proven to exist ~~terminable on remarriage may be reduced or~~  
593 ~~terminated upon the establishment of equivalent equitable~~  
594 ~~circumstances as described in this paragraph.~~ The existence of a  
595 conjugal relationship, ~~though it may be relevant to the nature~~  
596 ~~and extent of the relationship,~~ is not necessary for the  
597 application of ~~the provisions of~~ this paragraph.

598 (c)1. The court may reduce or terminate an award of  
599 support, maintenance, or alimony upon specific, written findings  
600 of fact that the obligor has reached normal retirement age as



601 defined by the Social Security Administration or the customary  
602 retirement age for his or her profession and that the obligor  
603 has taken demonstrative and measurable efforts or actions to  
604 retire or has actually retired. The burden is on the obligor to  
605 prove, by a preponderance of the evidence, that his or her  
606 retirement reduces his or her ability to pay support,  
607 maintenance, or alimony. If the court determines that the  
608 obligor's retirement has reduced or will reduce the obligor's  
609 ability to pay, the burden shifts to the obligee to prove, by a  
610 preponderance of the evidence, that the obligor's support,  
611 maintenance, or alimony obligation should not be terminated or  
612 reduced.

613 2. In determining whether an award of support,  
614 maintenance, or alimony should be reduced or terminated because  
615 of the obligor's voluntary retirement, the court shall give  
616 consideration to, and make written findings of fact regarding  
617 the following factors:

618 a. The age and health of the obligor.

619 b. The nature and type of work performed by the obligor.

620 c. The customary age of retirement in the obligor's  
621 profession.

622 d. The obligor's motivation for retirement and likelihood  
623 of returning to work.

624 e. The needs of the obligee and the ability of the obligee  
625 to contribute toward his or her own basic needs.

626 f. The economic impact that a termination or reduction of  
627 alimony would have on the obligee.

628 g. All assets of the obligee and the obligor accumulated  
629 or acquired prior to the marriage, during the marriage, or  
630 following the entry of the final judgment as well as the obligor  
631 and obligee's respective roles in the wasteful depletion of any  
632 marital assets received by him or her at the time of the entry  
633 of the final judgment.

634 h. The income of the obligee and the obligor earned during  
635 the marriage or following the entry of the final judgment.

636 i. The social security benefits, retirement plan benefits,  
637 or pension benefits payable to the obligor and the obligee  
638 following the final judgment of dissolution.

639 j. The obligor's compliance, in whole or in part, with the  
640 existing alimony obligation.

641 3. In reasonable anticipation of retirement, but not more  
642 than 6 months before retirement, the obligor may file a petition  
643 for modification of his or her support, maintenance, or alimony  
644 obligation, which shall be effective upon his or her reasonable  
645 and voluntary retirement as determined by the court pursuant to  
646 the factors in subparagraph 2. The court shall give  
647 consideration to, and make written findings of fact regarding,  
648 the factors in subparagraph 2. and s. 61.08(3) when granting or  
649 denying the obligor's petition for modification; when  
650 confirming, reducing, or terminating the obligor's alimony

651 obligation; and when granting or denying any request for  
652 modification, the date of filing of the obligor's modification  
653 petition, or other date post-filing as equity requires, giving  
654 due regard and consideration to the changed circumstances or the  
655 financial ability of the parties.

656 Section 4. Paragraph (f) of subsection (3) of section  
657 741.0306, Florida Statutes, is amended to read:

658 741.0306 Creation of a family law handbook.—

659 (3) The information contained in the handbook or other  
660 electronic media presentation may be reviewed and updated  
661 annually, and may include, but need not be limited to:

662 (f) Alimony, including temporary, durational, ~~permanent~~  
663 rehabilitative, and lump sum.

664 Section 5. This act shall take effect July 1, 2023.