

26 | rights, and responsibilities ~~proceedings~~; jurisdiction.—Any
27 | woman who is pregnant or has a child, any man who has reason to
28 | believe that he is the father of a child, or any child may bring
29 | proceedings in the circuit court, in chancery, to determine the
30 | paternity of the child when paternity has not been established
31 | by law or otherwise. After the birth of the child, a parent may
32 | request a determination of parental responsibility and child
33 | support and for the creation of a parenting plan and time-
34 | sharing schedule pursuant to chapter 61.

35 | Section 2. Subsection (5) of section 742.10, Florida
36 | Statutes, is amended to read:

37 | 742.10 Establishment of paternity for children born out of
38 | wedlock.—

39 | (5) Regardless of whether paternity is established in an
40 | action under s. 742.011 or this section, the determination of
41 | parental responsibility and child support and the creation of a
42 | parenting plan and time-sharing schedule must be established in
43 | an action brought under s. 742.011. Judicial or administrative
44 | proceedings are not required or permitted to ratify an
45 | unchallenged acknowledgment of paternity. This section may not
46 | be construed to prevent the Department of Revenue from
47 | establishing child support by an administrative order pursuant
48 | to s. 409.2563.

49 | Section 3. Subsection (1) of section 744.301, Florida
50 | Statutes, is amended to read:

51 744.301 Natural guardians.—

52 (1) The parents jointly are the natural guardians of their
53 own children and of their adopted children, during minority,
54 unless the parents' parental rights have been terminated
55 pursuant to chapter 39. If a child is the subject of any
56 proceeding under chapter 39, the parents may act as natural
57 guardians under this section unless the court division with
58 jurisdiction over guardianship matters finds that it is not in
59 the child's best interests. If one parent dies, the surviving
60 parent remains the sole natural guardian even if he or she
61 remarries. If the marriage between the parents is dissolved, the
62 natural guardianship belongs to the parent to whom sole parental
63 responsibility has been granted, or if the parents have been
64 granted shared parental responsibility, both continue as natural
65 guardians. If the marriage is dissolved and neither parent is
66 given parental responsibility for the child, neither may act as
67 natural guardian of the child. The mother of a child born out of
68 wedlock and a father who has established paternity under s.
69 742.011 or s. 742.10 are the natural guardians of the child and
70 are entitled and subject to the rights and responsibilities of
71 parents. If a father has not established paternity under s.
72 742.011 or s. 742.10(1), the mother of a child born out of
73 wedlock is the natural guardian of the child and is entitled to
74 primary residential care and custody of the child unless the
75 court enters an order stating otherwise.

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76 | Section 4. This act shall take effect July 1, 2023. |