

1                               A bill to be entitled  
2       An act relating to the Uniform Interstate Family Support  
3       Act; amending s. 88.1011, F.S.; revising and providing  
4       definitions; amending s. 88.1021, F.S.; designating the  
5       Department of Revenue as the support enforcement agency of  
6       this state; amending s. 88.1031, F.S.; revising provisions  
7       relating to remedies provided by the act; creating s.  
8       88.1041, F.S.; providing for applicability of provisions  
9       to residents of foreign counties and foreign support  
10      proceedings; amending s. 88.2011, F.S.; providing that  
11      specified bases of personal jurisdiction may not be used  
12      to acquire personal jurisdiction for certain purposes  
13      unless specified requirements are met; amending s.  
14      88.2021, F.S.; providing for duration of personal  
15      jurisdiction; deleting provisions relating to procedure  
16      when exercising jurisdiction over nonresident; amending  
17      ss. 88.2031 and 88.2041, F.S.; conforming provisions to  
18      changes made by the act; amending s. 88.2051, F.S.;  
19      revising provisions relating to continuation of exclusive  
20      jurisdiction; amending s. 88.2061, F.S.; providing for  
21      continuing jurisdiction to enforce child support orders;  
22      amending s. 88.2071, F.S.; revising provisions relating to  
23      determination of a controlling child support order;  
24      amending s. 88.2081, F.S.; revising language relating to  
25      child support orders for two or more obligees; amending s.  
26      88.2091, F.S.; revising language relating to credit for  
27      child support payments; creating s. 88.2101, F.S.;  
28      providing for application of the act to a nonresident

29        subject to personal jurisdiction; creating s. 88.2111,  
30        F.S.; providing for continuing, exclusive jurisdiction to  
31        modify a spousal support order; amending s. 88.3011, F.S.;  
32        revising provisions relating to applicability of the act;  
33        amending ss. 88.3021 and 88.3031, F.S.; revising  
34        terminology; amending s. 88.3041, F.S.; revising  
35        provisions relating to duties of an initiating tribunal;  
36        amending s. 88.3051, F.S.; revising provisions relating to  
37        duties and powers of a responding tribunal; amending s.  
38        88.3061, F.S.; revising terminology; amending s. 88.3071,  
39        F.S.; revising provisions relating to the duties of a  
40        support enforcement agency; amending s. 88.3081, F.S.;  
41        providing that the Governor and Cabinet may determine that  
42        a foreign country has established a reciprocal arrangement  
43        for child support with this state and take appropriate  
44        action for notification of the determination; amending s.  
45        88.3101, F.S.; revising terminology; amending s. 88.3111,  
46        F.S.; revising provisions relating to pleadings and  
47        accompanying documents; amending s. 88.3121, F.S.;  
48        revising requirements for nondisclosure of certain  
49        information; amending ss. 88.3131 and 88.3141, F.S.;  
50        revising terminology; amending s. 88.3161, F.S.; revising  
51        provisions relating to special rules of evidence and  
52        procedure; amending ss. 88.3171 and 88.3181, F.S.;  
53        revising terminology; amending s. 88.3191, F.S.; revising  
54        provisions relating to receipt and disbursement of  
55        payments; amending s. 88.4011, F.S.; revising provisions  
56        relating to establishment of a support order; creating s.

88.4021, F.S.; providing that certain tribunals of this state may serve as responding tribunals in proceedings to determine parentage of a child under certain provisions; providing a directive to the Division of Statutory Revision; amending s. 88.5011, F.S.; revising provisions relating to an employer's receipt of an income-withholding order from another state; amending ss. 88.50211, 88.5031, 88.5041, and 88.5051, F.S.; revising terminology; amending s. 88.5061, F.S.; revising provisions relating to a contest by obligor; amending s. 88.5071, F.S.; revising terminology; providing a directive to the Division of Statutory Revision; amending s. 88.6011, F.S.; revising terminology; amending s. 88.6021, F.S.; revising provisions relating to the procedure to register order for enforcement; amending s. 88.6031, F.S.; revising terminology; amending s. 88.6041, F.S.; revising provisions relating to choice of law; amending s. 88.6051, F.S.; revising provisions relating to notice of registration of order; amending s. 88.6061, F.S.; revising provisions relating to the procedure to contest the validity or enforcement of a registered order; amending s. 88.6071, F.S.; revising provisions relating to the contesting of registration or enforcement; amending s. 88.6081, F.S.; revising terminology; amending s. 88.6091, F.S.; correcting a cross-reference; amending s. 88.6111, F.S.; revising provisions relating to modification of a child support order of another state; amending s. 88.6121, F.S.; revising provisions relating to recognition of a

85        child support order modified in another state; creating s.  
86        88.6151, F.S.; providing for jurisdiction to modify a  
87        child support order of a foreign country; creating s.  
88        88.6161, F.S.; providing procedures for registration of a  
89        child support order of a foreign country for modification;  
90        providing a directive to the Division of Statutory  
91        Revision; repealing s. 88.7011, F.S., relating to a  
92        proceeding to determine parentage of a child; creating s.  
93        88.70111, F.S.; providing definitions relating to a  
94        support proceeding under the Convention on the  
95        International Recovery of Child Support and Other Forms of  
96        Family Maintenance; creating s. 88.7021, F.S.; providing  
97        for applicability; creating s. 88.7031, F.S.; specifying  
98        the relationship of the Department of Revenue to the  
99        United States central authority; creating s. 88.7041,  
100        F.S.; providing for initiation by the Department of  
101        Revenue of support proceedings under the convention;  
102        creating s. 88.7051, F.S.; providing for direct requests  
103        to tribunals; creating s. 88.7061, F.S.; providing for  
104        registration of convention support orders; creating s.  
105        88.7071, F.S.; providing for contest of registered  
106        convention support orders; creating s. 88.7081, F.S.;  
107        providing for recognition and enforcement of registered  
108        convention support orders; creating s. 88.7091, F.S.;  
109        providing for partial enforcement of convention support  
110        orders; creating s. 88.7101, F.S.; providing requirements  
111        for a foreign support agreement; creating s. 88.7111,  
112        F.S.; providing for modification of convention child

113 support orders; creating s. 88.7121, F.S.; providing  
114 limits on the personal use of certain information;  
115 creating s. 88.7131, F.S.; requiring a record filed with a  
116 tribunal of this state under specified provisions to be in  
117 the original language and, if not in English, to be  
118 accompanied by an English translation; amending s.  
119 88.8011, F.S.; revising terminology; amending s. 88.9011,  
120 F.S.; revising provisions relating to the uniformity of  
121 application and construction of the act; creating s.  
122 88.9021, F.S.; providing applicability; amending s.  
123 88.9031, F.S.; revising terminology; amending ss. 61.13  
124 and 827.06, F.S.; correcting cross-references; directing  
125 the Department of Revenue to apply for a waiver; providing  
126 a contingent effective date.

127  
128 Be It Enacted by the Legislature of the State of Florida:

129  
130 Section 1. Section 88.1011, Florida Statutes, is amended  
131 to read:

132 88.1011 Definitions.—As used in this act:

133 (1) "Child" means an individual, whether over or under the  
134 age of majority, who is or is alleged to be owed a duty of  
135 support by the individual's parent or who is or is alleged to be  
136 the beneficiary of a support order directed to the parent.

137 (2) "Child support order" means a support order for a  
138 child, including a child who has attained the age of majority  
139 under the law of the issuing state or foreign country.

140 (3) "Convention" means the Convention on the International

141 Recovery of Child Support and Other Forms of Family Maintenance,  
142 concluded at The Hague on November 23, 2007.

143 (4)-~~(3)~~ "Duty of support" means an obligation imposed or  
144 imposable by law to provide support for a child, spouse, or  
145 former spouse, including an unsatisfied obligation to provide  
146 support.

147 (5) "Foreign country" means a country, including a  
148 political subdivision thereof, other than the United States,  
149 that authorizes the issuance of support orders and:

150 (a) Which has been declared under the law of the United  
151 States to be a foreign reciprocating country;

152 (b) Which has established a reciprocal arrangement for  
153 child support with this state as provided in s. 88.3081;

154 (c) Which has enacted a law or established procedures for  
155 the issuance and enforcement of support orders which are  
156 substantially similar to the procedures under this act; or

157 (d) In which the convention is in force with respect to  
158 the United States.

159 (6) "Foreign support order" means a support order of a  
160 foreign tribunal.

161 (7) "Foreign tribunal" means a court, administrative  
162 agency, or quasi-judicial entity of a foreign country which is  
163 authorized to establish, enforce, or modify support orders or to  
164 determine parentage of a child. The term includes a competent  
165 authority under the convention.

166 (8)-~~(4)~~ "Home state" means the state or foreign country in  
167 which a child lived with a parent or a person acting as parent  
168 for at least 6 consecutive months immediately preceding the time

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169 of filing of a petition or comparable pleading for support and,  
170 if a child is less than 6 months old, the state or foreign  
171 country in which the child lived from birth with any of them. A  
172 period of temporary absence of any of them is counted as part of  
173 the 6-month or other period.

174 (9)-(5) "Income" includes earnings or other periodic  
175 entitlements to money from any source and any other property  
176 subject to withholding for support under the law of this state.

177 (10)-(6) "Income-withholding order" means an order or other  
178 legal process directed to an obligor's employer or other debtor,  
179 as defined by the income deduction law of this state, or payor  
180 as defined by s. 61.046, to withhold support from the income of  
181 the obligor.

182 ~~(7) "Initiating state" means a state from which a~~  
183 ~~proceeding is forwarded or in which a proceeding is filed for~~  
184 ~~forwarding to a responding state under this act or a law or~~  
185 ~~procedure substantially similar to this act, the Uniform~~  
186 ~~Reciprocal Enforcement of Support Act, or the Revised Uniform~~  
187 ~~Reciprocal Enforcement of Support Act.~~

188 (11)-(8) "Initiating tribunal" means the authorized  
189 tribunal of a state or foreign country from which a petition or  
190 comparable pleading is forwarded or in which a petition or  
191 comparable pleading is filed for forwarding to another state or  
192 foreign country in an initiating state.

193 (12) "Issuing foreign country" means the foreign country  
194 in which a tribunal issues a support order or a judgment  
195 determining parentage of a child.

196 (13)-(9) "Issuing state" means the state in which a

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tribunal issues a support order or renders a judgment  
determining parentage of a child.

~~(14)(10)~~ "Issuing tribunal" means the tribunal of a state  
or foreign country that issues a support order or ~~renders~~ a  
judgment determining parentage of a child.

~~(15)(11)~~ "Law" includes decisional and statutory law and  
rules and regulations having the force of law.

~~(16)(12)~~ "Obligee" means:

(a) An individual to whom a duty of support is or is  
alleged to be owed or in whose favor a support order ~~has been~~  
~~issued~~ or a judgment determining parentage of a child has been  
issued ~~rendered~~;

(b) A foreign country, state, or political subdivision of  
a state to which the rights under a duty of support or support  
order have been assigned or which has independent claims based  
on financial assistance provided to an individual obligee in  
place of child support; ~~or~~

(c) An individual seeking a judgment determining parentage  
of the individual's child; or

(d) A person that is a creditor in a proceeding under part  
VII of this chapter.

~~(17)(13)~~ "Obligor" means an individual, or the estate of a  
decedent that:

(a) ~~Who~~ Owes or is alleged to owe a duty of support;

(b) ~~Who~~ Is alleged but has not been adjudicated to be a  
parent of a child; ~~or~~

(c) ~~Who~~ Is liable under a support order; or

(d) Is a debtor in a proceeding under part VII.



225       (18) "Outside this state" means a location in another  
226 state or a country other than the United States, whether or not  
227 the country is a foreign country.

228       (19) "Person" means an individual, corporation, business  
229 trust, estate, trust, partnership, limited liability company,  
230 association, joint venture, public corporation, government, or  
231 governmental subdivision, agency, or instrumentality or any  
232 other legal or commercial entity.

233       (20) "Record" means information that is inscribed on a  
234 tangible medium or that is stored in an electronic or other  
235 medium that is retrievable in perceivable form.

236       (21)-(14) "Register" means to record or file in a tribunal  
237 of this state a support order or judgment determining parentage  
238 of a child issued in another state or a foreign country in the  
239 Registry of Foreign Support Orders of the circuit court, or  
240 other appropriate location for the recording or filing of  
241 foreign judgments generally or foreign support orders  
242 specifically.

243       (22)-(15) "Registering tribunal" means a tribunal in which  
244 a support order or judgment determining parentage of a child is  
245 registered.

246       (23)-(16) "Responding state" means a state in which a  
247 petition or comparable pleading for support or to determine  
248 parentage of a child proceeding is filed or to which a petition  
249 or comparable pleading proceeding is forwarded for filing from  
250 another state or a foreign country an initiating state under  
251 this act or a law or procedure substantially similar to this  
252 act, the Uniform Reciprocal Enforcement of Support Act, or the

253 ~~Revised Uniform Reciprocal Enforcement of Support Act.~~

254 ~~(24)(17)~~ "Responding tribunal" means the authorized  
255 tribunal in a responding state or a foreign country.

256 ~~(25)(18)~~ "Spousal-support order" means a support order for  
257 a spouse or former spouse of the obligor.

258 ~~(26)(19)~~ "State" means a state of the United States, the  
259 District of Columbia, Puerto Rico, the United States Virgin  
260 Islands, or any territory or insular possession under ~~subject to~~  
261 the jurisdiction of the United States. The term includes:

262 ~~(a)~~ an Indian nation or tribe; ~~and~~

263 ~~(b)~~ ~~A foreign jurisdiction that has enacted a law or~~  
264 ~~established procedures for issuance and enforcement of support~~  
265 ~~orders which are substantially similar to the procedures under~~  
266 ~~this act, the Uniform Reciprocal Enforcement of Support Act, or~~  
267 ~~the Revised Uniform Reciprocal Enforcement of Support Act, as~~  
268 ~~determined by the Attorney General.~~

269 ~~(27)(20)~~ "Support enforcement agency" means a public  
270 official, governmental entity, or private agency authorized to  
271 ~~seek~~:

272 (a) Seek enforcement of support orders or laws relating to  
273 the duty of support;

274 (b) Seek establishment or modification of child support;

275 (c) Request determination of parentage of a child; ~~or~~

276 (d) Attempt to locate obligors or their assets; or

277 (e) Request determination of the controlling child support  
278 order.

279 ~~(28)(21)~~ "Support order" means a judgment, decree, ~~or~~  
280 order, decision, or directive, whether temporary, final, or

281 subject to modification, issued in a state or foreign country  
282 for the benefit of a child, a spouse, or a former spouse, which  
283 provides for monetary support, health care, arrearages,  
284 retroactive support, or reimbursement for financial assistance  
285 provided to an individual obligee in place of child support. The  
286 term, and may include related costs and fees, interest, income  
287 withholding, automatic adjustment, reasonable attorney's fees,  
288 and other relief.

289 ~~(29)(22)~~ "Tribunal" means a court, administrative agency,  
290 or quasi-judicial entity authorized to establish, enforce, or  
291 modify support orders or to determine parentage of a child.

292 Section 2. Section 88.1021, Florida Statutes, is amended  
293 to read:

294 88.1021 ~~Tribunal of State~~ tribunal and support enforcement  
295 agency.—

296 (1) The circuit court or other appropriate court,  
297 administrative agency, quasi-judicial entity, or combination is  
298 the tribunal of this state.

299 (2) The Department of Revenue is the support enforcement  
300 agency of this state.

301 Section 3. Section 88.1031, Florida Statutes, is amended  
302 to read:

303 88.1031 Remedies cumulative.—

304 (1) Remedies provided by this act are cumulative and do  
305 not affect the availability of remedies under other law, or the  
306 recognition of a foreign support order on the basis of comity.

307 (2) This act does not:

308        (a) Provide the exclusive method of establishing or  
309 enforcing a support order under the law of this state; or

310        (b) Grant a tribunal of this state jurisdiction to render  
311 judgment or issue an order relating to child custody or  
312 visitation in a proceeding under this act.

313        Section 4. Section 88.1041, Florida Statutes, is created  
314 to read:

315        88.1041 Application of act to resident of foreign country  
316 and foreign support proceeding.—

317        (1) A tribunal of this state shall apply parts I through  
318 VI of this chapter, and, as applicable, part VII of this  
319 chapter, to a support proceeding involving:

320            (a) A foreign support order;

321            (b) A foreign tribunal; or

322            (c) An obligee, obligor, or child residing in a foreign  
323 country.

324        (2) A tribunal of this state that is requested to  
325 recognize and enforce a support order on the basis of comity may  
326 apply the procedural and substantive provisions of parts I  
327 through VI of this chapter.

328        (3) Part VII of this chapter applies only to a support  
329 proceeding under the convention. In such a proceeding, if a  
330 provision of part VII of this chapter is inconsistent with parts  
331 I through VI of this chapter, part VII of this chapter controls.

332        Section 5. Section 88.2011, Florida Statutes, is amended  
333 to read:

334        88.2011 Bases for jurisdiction over nonresident.—

335        (1) In a proceeding to establish ~~or~~, enforce, ~~or modify~~ a

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336 support order or to determine parentage of a child, a tribunal  
337 of this state may exercise personal jurisdiction over a  
338 nonresident individual or the individual's guardian or  
339 conservator if:

340 (a)~~(1)~~ The individual is personally served with citation,  
341 summons, or notice within this state;

342 (b)~~(2)~~ The individual submits to the jurisdiction of this  
343 state by consent in a record, by entering a general appearance,  
344 or by filing a responsive document having the effect of waiving  
345 any contest to personal jurisdiction;

346 (c)~~(3)~~ The individual resided with the child in this  
347 state;

348 (d)~~(4)~~ The individual resided in this state and provided  
349 prenatal expenses or support for the child;

350 (e)~~(5)~~ The child resides in this state as a result of the  
351 acts or directives of the individual;

352 (f)~~(6)~~ The individual engaged in sexual intercourse in  
353 this state and the child may have been conceived by that act of  
354 intercourse;

355 (g)~~(7)~~ The individual asserted parentage of a child in a  
356 tribunal or in a putative father registry maintained in this  
357 state by the appropriate agency; or

358 (h)~~(8)~~ There is any other basis consistent with the  
359 constitutions of this state and the United States for the  
360 exercise of personal jurisdiction.

361 (2) The bases of personal jurisdiction set forth in  
362 subsection (1) or in any other law of this state may not be used  
363 to acquire personal jurisdiction for tribunal of this state to

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364 modify a child support order of another state unless the  
365 requirements of s. 88.6111 are met, or, in the case of a foreign  
366 support order, unless the requirements of s. 88.6151 are met.

367 Section 6. Section 88.2021, Florida Statutes, is amended  
368 to read:

369 88.2021 Duration of personal ~~Procedure when exercising~~  
370 ~~jurisdiction over nonresident.~~ Personal jurisdiction acquired by  
371 a tribunal of this state in a proceeding under this act or other  
372 law of this state relating to a support order continues as long  
373 as a tribunal of this state has continuing, exclusive  
374 jurisdiction to modify its order or continuing jurisdiction to  
375 enforce its order as provided by ss. 88.2051, 88.2061, and  
376 88.2111 ~~A tribunal of this state exercising personal~~  
377 ~~jurisdiction over a nonresident under s. 88.2011 may apply s.~~  
378 ~~88.3161 (special rules of evidence and procedure) to receive~~  
379 ~~evidence from another state, and s. 88.3181 (assistance with~~  
380 ~~discovery) to obtain discovery through a tribunal of another~~  
381 ~~state. In all other respects, parts III through VII of this~~  
382 ~~chapter do not apply and the tribunal shall apply the procedural~~  
383 ~~and substantive law of this state, including the rules on choice~~  
384 ~~of law other than those established by this act.~~

385 Section 7. Section 88.2031, Florida Statutes, is amended  
386 to read:

387 88.2031 Initiating and responding tribunal of state.—Under  
388 this act, a tribunal of this state may serve as an initiating  
389 tribunal to forward proceedings to a tribunal of another state  
390 and as a responding tribunal for proceedings initiated in  
391 another state or a foreign country.

392 Section 8. Section 88.2041, Florida Statutes, is amended  
393 to read:

394 88.2041 Simultaneous proceedings in another state.—

395 (1) A tribunal of this state may exercise jurisdiction to  
396 establish a support order if the petition or comparable pleading  
397 is filed after a petition or comparable pleading is filed in  
398 another state or a foreign country only if:

399 (a) The petition or comparable pleading in this state is  
400 filed before the expiration of the time allowed in the other  
401 state or the foreign country for filing a responsive pleading  
402 challenging the exercise of jurisdiction by the other state or  
403 the foreign country;

404 (b) The contesting party timely challenges the exercise of  
405 jurisdiction in the other state or the foreign country; and

406 (c) If relevant, this state is the home state of the  
407 child.

408 (2) A tribunal of this state may not exercise jurisdiction  
409 to establish a support order if the petition or comparable  
410 pleading is filed before a petition or comparable pleading is  
411 filed in another state or a foreign country if:

412 (a) The petition or comparable pleading in the other state  
413 or the foreign country is filed before the expiration of the  
414 time allowed in this state for filing a responsive pleading  
415 challenging the exercise of jurisdiction by this state;

416 (b) The contesting party timely challenges the exercise of  
417 jurisdiction in this state; and

418 (c) If relevant, the other state or the foreign country is  
419 the home state of the child.

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420 Section 9. Section 88.2051, Florida Statutes, is amended  
421 to read:

422 88.2051 Continuing exclusive jurisdiction.—

423 (1) A tribunal of this state that has issued ~~issuing~~ a  
424 child support order consistent with the law of this state has  
425 and shall exercise continuing, exclusive jurisdiction to modify  
426 its ~~over a~~ child support order if the order is the controlling  
427 order and:

428 (a) At the time of the filing of a request for  
429 modification, As long as this state is ~~remains~~ the residence of  
430 the obligor, the individual obligee, or the child for whose  
431 benefit the support order is issued; or

432 (b) Even if this state is not the residence of the  
433 obligor, the individual obligee, or the child for whose benefit  
434 the support order is issued, the parties consent in a record or  
435 in open court that the tribunal of this state may continue to  
436 exercise jurisdiction to modify its order ~~Until all of the~~  
437 ~~parties who are individuals have filed written consents with the~~  
438 ~~tribunal of this state for a tribunal of another state to modify~~  
439 ~~the order and assume continuing exclusive jurisdiction.~~

440 (2) A tribunal of this state that has issued ~~issuing~~ a  
441 child support order consistent with the law of this state may  
442 not exercise ~~its~~ continuing, exclusive jurisdiction to modify  
443 the order if: ~~the order has been modified by a tribunal of~~  
444 ~~another state pursuant to this act or a law substantially~~  
445 ~~similar to this act.~~

446 (a) All of the parties who are individuals file consent in  
447 a record with the tribunal of this state that a tribunal of



another state that has jurisdiction over at least one of the parties who is an individual or that is located in the state of residence of the child may modify the order and assume continuing, exclusive jurisdiction; or

(b) Its order is not the controlling order.

~~(3) If a child support order of this state is modified by a tribunal of another state pursuant to this act or a law substantially similar to this act, a tribunal of this state loses its continuing exclusive jurisdiction with regard to prospective enforcement of the order issued in this state, and may only:~~

~~(a) Enforce the order that was modified as to amounts accruing before the modification;~~

~~(b) Enforce nonmodifiable aspects of that order; and~~

~~(c) Provide other appropriate relief for violations of that order which occurred before the effective date of the modification.~~

~~(3)-(4) If a tribunal of this state shall recognize the continuing exclusive jurisdiction of a tribunal of another state which has issued a child support order pursuant to this act or a law substantially similar to this act which modifies a child support order of a tribunal of this state, tribunals of this state shall recognize the continuing, exclusive jurisdiction of the tribunal of the other state.~~

(4) A tribunal of this state that lacks continuing, exclusive jurisdiction to modify a child support order may serve as an initiating tribunal to request a tribunal of another state to modify a support order issued in that state.

476 (5) A temporary support order issued ex parte or pending  
477 resolution of a jurisdictional conflict does not create  
478 continuing exclusive jurisdiction in the issuing tribunal.

479 ~~(6) A tribunal of this state issuing a support order~~  
480 ~~consistent with the law of this state has continuing exclusive~~  
481 ~~jurisdiction over a spousal support order throughout the~~  
482 ~~existence of the support obligation. A tribunal of this state~~  
483 ~~may not modify a spousal support order issued by a tribunal of~~  
484 ~~another state having continuing exclusive jurisdiction over that~~  
485 ~~order under the law of that state.~~

486 Section 10. Section 88.2061, Florida Statutes, is amended  
487 to read:

488 88.2061 ~~Enforcement and modification of support order by~~  
489 ~~tribunal having~~ Continuing jurisdiction to enforce child support  
490 order.—

491 (1) A tribunal of this state that has issued a child  
492 support order consistent with the law of this state may serve as  
493 an initiating tribunal to request a tribunal of another state to  
494 enforce; ~~or modify a support order issued in that state.~~

495 (a) The order if the order is the controlling order and  
496 has not been modified by a tribunal of another state that  
497 assumed jurisdiction pursuant to the Uniform Interstate Family  
498 Support Act; or

499 (b) A money judgment for arrears of support and interest  
500 on the order accrued before a determination that an order of a  
501 tribunal of another state is the controlling order.

502 (2) A tribunal of this state having continuing ~~exclusive~~  
503 jurisdiction over a support order may act as a responding

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tribunal to enforce ~~or modify~~ the order. ~~If a party subject to the continuing exclusive jurisdiction of the tribunal no longer resides in the issuing state, in subsequent proceedings the tribunal may apply s. 88.3161 (special rules of evidence and procedure) to receive evidence from another state and s. 88.3181 (assistance with discovery) to obtain discovery through a tribunal of another state.~~

~~(3) A tribunal of this state which lacks continuing exclusive jurisdiction over a spousal support order may not serve as a responding tribunal to modify a spousal support order of another state.~~

Section 11. Section 88.2071, Florida Statutes, is amended to read:

88.2071 Determination ~~Recognition~~ of controlling child support order.—

(1) If a proceeding is brought under this act and only one tribunal has issued a child support order, the order of that tribunal controls and must be ~~so~~ recognized.

(2) If a proceeding is brought under this act, and two or more child support orders have been issued by tribunals of this state, ~~or another state,~~ or a foreign country with regard to the same obligor and the same child, a tribunal of this state having personal jurisdiction over both the obligor and individual obligee shall apply the following rules and by order shall determine in determining which order controls and must be recognized ~~to recognize for purposes of continuing, exclusive jurisdiction:~~

(a) If only one of the tribunals would have continuing,

532 exclusive jurisdiction under this act, the order of that  
533 tribunal controls ~~and must be so recognized~~.

534 (b) If more than one of the tribunals would have  
535 continuing, exclusive jurisdiction under this act:7

536 1. An order issued by a tribunal in the current home state  
537 of the child controls; or ~~and must be so recognized, but~~

538 2. If an order has not been issued in the current home  
539 state of the child, the order most recently issued controls ~~and~~  
540 ~~must be so recognized~~.

541 (c) If none of the tribunals would have continuing,  
542 exclusive jurisdiction under this act, the tribunal of this  
543 state ~~having jurisdiction over the parties~~ shall issue a child  
544 support order, which controls ~~and must be so recognized~~.

545 (3) If two or more child support orders have been issued  
546 for the same obligor and the same child, upon request of ~~and if~~  
547 ~~the obligor or the individual obligee resides in this state, a~~  
548 party who is an individual or that is a support enforcement  
549 agency, may request a tribunal of this state having personal  
550 jurisdiction over both the obligor and the obligee who is an  
551 individual shall ~~to~~ determine which order controls ~~and must be~~  
552 ~~so recognized~~ under subsection (2). The request may be filed  
553 with a registration for enforcement or registration for  
554 modification pursuant to part VI of this chapter, or may be  
555 filed as a separate proceeding ~~must be accompanied by a~~  
556 ~~certified copy of every support order in effect. The requesting~~  
557 ~~party shall give notice of the request to each party whose~~  
558 ~~rights may be affected by the determination.~~

559 (4) A request to determine which is the controlling order

560 must be accompanied by a copy of every child support order in  
561 effect and the applicable record of payments. The requesting  
562 party shall give notice of the request to each party whose  
563 rights may be affected by the determination.

564 (5)(4) The tribunal that issued the controlling order  
565 under subsection (1), subsection (2), or subsection (3) ~~is the~~  
566 ~~tribunal that~~ has continuing, ~~exclusive~~ jurisdiction to the  
567 extent provided in s. ~~under s.~~ 88.2051 or s. 88.2061.

568 (6)(5) A tribunal of this state that ~~which~~ determines by  
569 order which is the identity of the controlling order under  
570 paragraph (2)(a), ~~or~~ paragraph (2)(b), or subsection (3) or that  
571 ~~which~~ issues a new controlling order under paragraph (2)(c)  
572 shall state in that order:

573 (a) The basis upon which the tribunal made its  
574 determination;

575 (b) The amount of prospective support, if any; and

576 (c) The total amount of consolidated arrears and accrued  
577 interest, if any, under all of the orders after all payments  
578 made are credited as provided by s. 88.2091.

579 (7)(6) Within 30 days after issuance of an order  
580 determining which is the identity of the controlling order, the  
581 party obtaining the order shall file a certified copy of it in  
582 ~~with~~ each tribunal that issued or registered an earlier order of  
583 child support. A party or support enforcement agency obtaining  
584 ~~who obtains~~ the order that ~~and~~ fails to file a certified copy is  
585 subject to appropriate sanctions by a tribunal in which the  
586 issue of failure to file arises. The failure to file does not  
587 affect the validity or enforceability of the controlling order.

588       (8) An order that has been determined to be the  
589       controlling order, or a judgment for consolidated arrears of  
590       support and interest, if any, made pursuant to this section must  
591       be recognized in proceedings under this act.

592       Section 12. Section 88.2081, Florida Statutes, is amended  
593       to read:

594       88.2081 ~~Multiple~~ Child support orders for two or more  
595       obligees.—In responding to ~~multiple~~ registrations, petitions, or  
596       comparable pleadings for enforcement of two or more child  
597       support orders in effect at the same time with regard to the  
598       same obligor and different individual obligees, at least one of  
599       which was issued by a tribunal of another state or a foreign  
600       country, a tribunal of this state shall enforce those orders in  
601       the same manner as if the ~~multiple~~ orders had been issued by a  
602       tribunal of this state.

603       Section 13. Section 88.2091, Florida Statutes, is amended  
604       to read:

605       88.2091 Credit for payments.—A tribunal of this state  
606       shall credit amounts collected ~~and credited~~ for a particular  
607       period pursuant to any child support order against the amounts  
608       owed for the same period under any other child support order for  
609       support of the same child ~~a support order issued by a tribunal~~  
610       ~~of another state must be credited against the amounts accruing~~  
611       ~~or accrued for the same period under a support order~~ issued by  
612       the tribunal of this state, another state, or a foreign country.

613       Section 14. Section 88.2101, Florida Statutes, is created  
614       to read:

615        88.2101 Application of act to nonresident subject to  
616 personal jurisdiction.—A tribunal of this state exercising  
617 personal jurisdiction over a nonresident in a proceeding under  
618 this act, under another law of this state relating to a support  
619 order, or recognizing a foreign support order may receive  
620 evidence from outside this state pursuant to s. 88.3161,  
621 communicate with a tribunal outside this state pursuant to s.  
622 88.3171, and obtain discovery through a tribunal outside this  
623 state pursuant to s. 88.3181. In all other respects, parts III  
624 through VI of this chapter do not apply, and the tribunal shall  
625 apply the procedural and substantive law of this state.

626        Section 15. Section 88.2111, Florida Statutes, is created  
627 to read:

628        88.2111 Continuing, exclusive jurisdiction to modify  
629 spousal support order.—

630        (1) A tribunal of this state issuing a spousal support  
631 order consistent with the law of this state has continuing,  
632 exclusive jurisdiction to modify the spousal support order  
633 throughout the existence of the support obligation.

634        (2) A tribunal of this state may not modify a spousal  
635 support order issued by a tribunal of another state or foreign  
636 country having continuing, exclusive jurisdiction over that  
637 order under the law of that state or foreign country.

638        (3) A tribunal of this state that has continuing,  
639 exclusive jurisdiction over a spousal support order may serve  
640 as:

(a) An initiating tribunal to request a tribunal of another state to enforce the spousal support order issued in this state; or

(b) A responding tribunal to enforce or modify its own spousal support order.

Section 16. Section 88.3011, Florida Statutes, is amended to read:

88.3011 Proceedings under this act.—

(1) Except as otherwise provided in this act, this part ~~article~~ applies to all proceedings under this act.

~~(2) This act provides for the following proceedings:~~

~~(a) Establishment of an order for spousal support or child support pursuant to part IV;~~

~~(b) Enforcement of a support order and income-withholding order of another state without registration pursuant to part V;~~

~~(c) Registration of an order for spousal support or child support of another state for enforcement pursuant to part VI;~~

~~(d) Modification of an order for child support or spousal support issued by a tribunal of this state pursuant to ss.~~

~~88.2031–88.2061;~~

~~(e) Registration of an order for child support of another state for modification pursuant to part VI;~~

~~(f) Determination of parentage pursuant to part VII; and~~

~~(g) Assertion of jurisdiction over nonresidents pursuant to ss. 88.2011–88.2021.~~

(2) ~~(3)~~ An individual petitioner or a support enforcement agency may initiate ~~commence~~ a proceeding authorized under this act by filing a petition or a comparable pleading in an



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initiating tribunal for forwarding to a responding tribunal or by filing a petition or a comparable pleading directly in a tribunal of another state or a foreign country which has or can obtain personal jurisdiction over the respondent.

Section 17. Section 88.3021, Florida Statutes, is amended to read:

88.3021 Proceeding ~~Action~~ by minor parent.—A minor parent, or a guardian or other legal representative of a minor parent, may maintain a proceeding on behalf of or for the benefit of the minor's child.

Section 18. Section 88.3031, Florida Statutes, is amended to read:

88.3031 Application of law of state.—Except as otherwise provided in ~~by~~ this act, a responding tribunal of this state shall:

(1) ~~Shall~~ Apply the procedural and substantive law, ~~including the rules on choice of law,~~ generally applicable to similar proceedings originating in this state and may exercise all powers and provide all remedies available in those proceedings; and

(2) ~~Shall~~ Determine the duty of support and the amount payable in accordance with the law and support guidelines of this state.

Section 19. Section 88.3041, Florida Statutes, is amended to read:

88.3041 Duties of initiating tribunal.—

(1) Upon the filing of a petition or comparable pleading authorized by this act, an initiating tribunal of this state

697 shall forward ~~three copies of~~ the petition and its accompanying  
698 documents or a comparable pleading and its accompanying  
699 documents:

700 (a) To the responding tribunal or appropriate support  
701 enforcement agency in the responding state; or

702 (b) If the identity of the responding tribunal is unknown,  
703 to the state information agency of the responding state with a  
704 request that they be forwarded to the appropriate tribunal and  
705 that receipt be acknowledged.

706 (2) If requested by the responding tribunal ~~a responding~~  
707 ~~state has not enacted this act or a law or procedure~~  
708 ~~substantially similar to this act,~~ a tribunal of this state  
709 shall ~~may~~ issue a certificate or other document and make  
710 findings required by the law of the responding state. If the  
711 responding tribunal ~~state~~ is in a foreign country ~~jurisdiction,~~  
712 upon request the tribunal of this state shall ~~may~~ specify the  
713 amount of support sought, convert that amount into the  
714 equivalent amount in the foreign currency under applicable  
715 official or market exchange rate as publicly reported, and  
716 provide any other documents necessary to satisfy the  
717 requirements of the responding foreign tribunal ~~state~~.

718 Section 20. Section 88.3051, Florida Statutes, is amended  
719 to read:

720 88.3051 Duties and powers of responding tribunal.—

721 (1) When a responding tribunal of this state receives a  
722 petition or comparable pleading from an initiating tribunal or  
723 directly pursuant to s. 88.3011 (2) ~~(3)~~, it shall cause the  
724 petition or comparable pleading to be filed and notify the

petitioner where and when it was filed.

(2) A responding tribunal of this state, to the extent not prohibited ~~otherwise authorized~~ by other law, may do one or more of the following:

(a) Establish ~~Issue~~ or enforce a support order, modify a child support order, determine the controlling child support order, or ~~render a judgment to~~ determine parentage of a child.

(b) Order an obligor to comply with a support order, specifying the amount and the manner of compliance.

(c) Order income withholding.

(d) Determine the amount of any arrearages, and specify a method of payment.

(e) Enforce orders by civil or criminal contempt, or both.

(f) Set aside property for satisfaction of the support order.

(g) Place liens and order execution on the obligor's property.

(h) Order an obligor to keep the tribunal informed of the obligor's current residential address, electronic mail address, telephone number, employer, address of employment, and telephone number at the place of employment.

(i) Issue a bench warrant, capias, or writ of bodily attachment for an obligor who has failed after proper notice to appear at a hearing ordered by the tribunal and enter the bench warrant, capias, or writ of bodily attachment in any local and state computer systems for criminal warrants.

(j) Order the obligor to seek appropriate employment by specified methods.

(k) Award reasonable attorney's fees and other fees and costs.

(1) Grant any other available remedy.

(3) A responding tribunal of this state shall include in a support order issued under this act, or in the documents accompanying the order, the calculations on which the support order is based.

(4) A responding tribunal of this state may not condition the payment of a support order issued under this act upon compliance by a party with provisions for visitation.

(5) If a responding tribunal of this state issues an order under this act, the tribunal shall send a copy of the order to the petitioner and the respondent and to the initiating tribunal, if any.

(6) If requested to enforce a support order, arrears, or judgment, or modify a support order stated in a foreign currency, a responding tribunal of this state shall convert the amount stated in the foreign currency to the equivalent amount in dollars under the applicable official or market exchange rate as publicly reported.

Section 21. Section 88.3061, Florida Statutes, is amended to read:

88.3061 Inappropriate tribunal.—If a petition or comparable pleading is received by an inappropriate tribunal of this state, the tribunal ~~it~~ shall forward the pleading and accompanying documents to an appropriate tribunal of ~~in~~ this state or another state and notify the petitioner where and when the pleading was sent.

781           Section 22. Section 88.3071, Florida Statutes, is amended  
782 to read:

783           88.3071 Duties of support enforcement agency.—

784           (1) In a proceeding under this act, a support enforcement  
785 agency of this state, upon request:

786           (a) Shall provide services to a petitioner residing in a  
787 state;

788           (b) Shall provide services to a petitioner requesting  
789 services through a central authority of a foreign country as  
790 described in s. 88.1011(5)(a) or s. 88.1011(5)(d); and

791           (c) May provide services to a petitioner who is an  
792 individual not residing in a state ~~A support enforcement agency~~  
793 ~~of this state, upon request, shall provide services to a~~  
794 ~~petitioner in a proceeding under this act.~~

795           (2) A support enforcement agency that is providing  
796 services to the petitioner as appropriate shall:

797           (a) Take all steps necessary to enable an appropriate  
798 tribunal in this state, ~~or~~ another state, or a foreign country  
799 to obtain jurisdiction over the respondent.

800           (b) Request an appropriate tribunal to set a date, time,  
801 and place for a hearing.

802           (c) Make a reasonable effort to obtain all relevant  
803 information, including information as to income and property of  
804 the parties.

805           (d) Within 10 days, exclusive of Saturdays, Sundays, and  
806 legal holidays, after receipt of a written notice from an  
807 initiating, responding, or registering tribunal, send a copy of  
808 the notice to the petitioner.

809 (e) Within 10 days, exclusive of Saturdays, Sundays, and  
810 legal holidays, after receipt of a written communication from  
811 the respondent or the respondent's attorney, send a copy of the  
812 communication to the petitioner.

813 (f) Notify the petitioner if jurisdiction over the  
814 respondent cannot be obtained.

815 (3) A support enforcement agency of this state that  
816 requests registration of a child support order in this state for  
817 enforcement or for modification shall make reasonable efforts:

818 (a) To ensure that the order to be registered is the  
819 controlling order; or

820 (b) If two or more child support orders exist and the  
821 identity of the controlling order has not been determined, to  
822 ensure that a request for such a determination is made in a  
823 tribunal having jurisdiction to do so.

824 (4) A support enforcement agency of this state that  
825 requests registration and enforcement of a support order,  
826 arrears, or judgment stated in a foreign currency shall convert  
827 the amounts stated in the foreign currency into the equivalent  
828 amounts in dollars under the applicable official or market  
829 exchange rate as publicly reported.

830 (5) A support enforcement agency of this state shall issue  
831 or request a tribunal of this state to issue a child support  
832 order and an income-withholding order that redirect payment of  
833 current support, arrears, and interest if requested to do so by  
834 a support enforcement agency of another state pursuant to s.  
835 88.3191.

836 (6)~~(3)~~ This act does not create or negate a relationship

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of attorney and client or other fiduciary relationship between a support enforcement agency or the attorney for the agency and the individual being assisted by the agency.

Section 23. Section 88.3081, Florida Statutes, is amended to read:

88.3081 Duty of Governor and Cabinet.—

(1) If the Governor and Cabinet determine that the support enforcement agency is neglecting or refusing to provide services to an individual, the Governor and Cabinet may order the agency to perform its duties under this act or may provide those services directly to the individual.

(2) The Governor and Cabinet may determine that a foreign country has established a reciprocal arrangement for child support with this state and take appropriate action for notification of the determination.

Section 24. Paragraph (c) of subsection (2) of section 88.3101, Florida Statutes, is amended to read:

88.3101 Duties of state information agency.—

(2) The state information agency shall:

(c) Forward to the appropriate tribunal in the place in this state in which the ~~individual~~ obligee who is an individual or the obligor resides, or in which the obligor's property is believed to be located, all documents concerning a proceeding under this act received from another state or a foreign country ~~an initiating tribunal or the state information agency of the initiating state.~~

Section 25. Subsection (1) of section 88.3111, Florida Statutes, is amended to read:

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88.3111 Pleadings and accompanying documents.—

(1) In a proceeding under this act, a petitioner seeking to establish ~~or modify~~ a support order, ~~or~~ to determine parentage of a child, or to register and modify a support order of a tribunal of another state or a foreign country in a proceeding under this act must file a ~~verify the~~ petition or comparable pleading. Unless otherwise ordered under s. 88.3121 ~~(nondisclosure of information in exceptional circumstances)~~, the petition or comparable pleading or the documents accompanying either the petition or comparable pleading must provide, so far as known, the name, residential address, and social security numbers of the obligor and the obligee or the parent and alleged parent, and the name, sex, residential address, social security number, and date of birth of each child for whose benefit ~~whom~~ support is sought or whose parentage of a child is to be determined. Unless filed at the time of registration, the petition must be accompanied by a ~~certified~~ copy of any support order known to have been issued by another tribunal in effect. The petition may include any other information that may assist in locating or identifying the respondent.

Section 26. Section 88.3121, Florida Statutes, is amended to read:

88.3121 Nondisclosure of information in exceptional circumstances.—If a party alleges in an affidavit or a pleading under oath that the health, safety, or liberty of a party or child would be jeopardized by disclosure of specific identifying information, that information must be sealed and may not be disclosed to the other party or the public. After a hearing in



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893 which a tribunal takes into consideration the health, safety, or  
894 liberty of the party or child, the tribunal may order disclosure  
895 of information that the tribunal determines to be in the  
896 interest of justice ~~Upon a finding, which may be made ex parte,~~  
897 ~~that the health, safety, or liberty of a party or child would be~~  
898 ~~unreasonably put at risk by the disclosure of identifying~~  
899 ~~information, or if an existing order so provides, a tribunal~~  
900 ~~shall order that the address of the child or party or other~~  
901 ~~identifying information not be disclosed in a pleading or other~~  
902 ~~document filed in a proceeding under this act.~~

903 Section 27. Subsection (2) of section 88.3131, Florida  
904 Statutes, is amended to read:

905 88.3131 Costs and fees.—

906 (2) If an obligee prevails, a responding tribunal of this  
907 state may assess against an obligor filing fees, reasonable  
908 attorney's fees, other costs, and necessary travel and other  
909 reasonable expenses incurred by the obligee and the obligee's  
910 witnesses. The tribunal may not assess fees, costs, or expenses  
911 against the obligee or the support enforcement agency of either  
912 the initiating or the responding state or foreign country,  
913 except as provided by other law. Attorney's fees may be taxed as  
914 costs, and may be ordered paid directly to the attorney, who may  
915 enforce the order in the attorney's own name. Payment of support  
916 owed to the obligee has priority over fees, costs, and expenses.

917 Section 28. Subsections (1) and (3) of section 88.3141,  
918 Florida Statutes, are amended to read:

919 88.3141 Limited immunity of petitioner.—

920 (1) Participation by a petitioner in a proceeding under

921 this act before a responding tribunal, whether in person, by  
922 private attorney, or through services provided by the support  
923 enforcement agency, does not confer personal jurisdiction over  
924 the petitioner in another proceeding.

925 (3) The immunity granted by this section does not extend  
926 to civil litigation based on acts unrelated to a proceeding  
927 under this act committed by a party while physically present in  
928 this state to participate in the proceeding.

929 Section 29. Section 88.3161, Florida Statutes, is amended  
930 to read:

931 88.3161 Special rules of evidence and procedure.—

932 (1) The physical presence of a nonresident party who is an  
933 individual ~~the petitioner~~ in a ~~responding~~ tribunal of this state  
934 is not required for the establishment, enforcement, or  
935 modification of a support order or the rendition of a judgment  
936 determining parentage of a child.

937 (2) ~~An A verified petition or other comparable pleading,~~  
938 affidavit, a document substantially complying with federally  
939 mandated forms, or ~~and~~ a document incorporated by reference in  
940 any of them, which would not be excluded under the hearsay rule  
941 if given in person, is admissible in evidence if given under  
942 penalty of perjury oath by a party or witness residing outside  
943 this ~~in another~~ state.

944 (3) A copy of the record of child support payments  
945 certified as a true copy of the original by the custodian of the  
946 record may be forwarded to a responding tribunal. The copy is  
947 evidence of facts asserted in it, and is admissible to show  
948 whether payments were made.

949 (4) Copies of bills for testing for parentage of a child,  
950 and for prenatal and postnatal health care of the mother and  
951 child, furnished to the adverse party at least 10 days before  
952 trial, are admissible in evidence to prove the amount of the  
953 charges billed and that the charges were reasonable, necessary,  
954 and customary.

955 (5) Documentary evidence transmitted from outside this  
956 ~~another~~ state to a tribunal of this state by telephone,  
957 telecopier, or other electronic means that do not provide an  
958 original record ~~writing~~ may not be excluded from evidence on an  
959 objection based on the means of transmission.

960 (6) In a proceeding under this act, a tribunal of this  
961 state shall ~~may~~ permit a party or witness residing outside this  
962 ~~in another~~ state to be deposed or to testify by telephone,  
963 audiovisual means, or other electronic means at a designated  
964 tribunal or other location ~~in that state~~. A tribunal of this  
965 state shall cooperate with other tribunals ~~of other states~~ in  
966 designating an appropriate location for the deposition or  
967 testimony.

968 (7) If a party called to testify at a civil hearing  
969 refuses to answer on the ground that the testimony may be self-  
970 incriminating, the trier of fact may draw an adverse inference  
971 from the refusal.

972 (8) A privilege against disclosure of communications  
973 between spouses does not apply in a proceeding under this act.

974 (9) The defense of immunity based on the relationship of  
975 husband and wife or parent and child does not apply in a  
976 proceeding under this act.

977        (10) A voluntary acknowledgment of paternity, certified as  
978 a true copy, is admissible to establish parentage of a child.

979        Section 30. Section 88.3171, Florida Statutes, is amended  
980 to read:

981        88.3171 Communications between tribunals.—A tribunal of  
982 this state may communicate with a tribunal outside this ~~of~~  
983 ~~another~~ state in a record writing, or by telephone, electronic  
984 mail, or other means, to obtain information concerning the laws  
985 of that state, the legal effect of a judgment, decree, or order  
986 of that tribunal, and the status of a proceeding ~~in the other~~  
987 ~~state~~. A tribunal of this state may furnish similar information  
988 by similar means to a tribunal outside this ~~of another~~ state.

989        Section 31. Section 88.3181, Florida Statutes, is amended  
990 to read:

991        88.3181 Assistance with discovery.—A tribunal of this  
992 state may:

993        (1) Request a tribunal outside this ~~of another~~ state to  
994 assist in obtaining discovery.

995        (2) Upon request, compel a person over which ~~whom~~ it has  
996 jurisdiction to respond to a discovery order issued by a  
997 tribunal outside this ~~of another~~ state.

998        Section 32. Section 88.3191, Florida Statutes, is amended  
999 to read:

1000        88.3191 Receipt and disbursement of payments.—

1001        (1) A support enforcement agency or tribunal of this state  
1002 shall disburse promptly any amounts received pursuant to a  
1003 support order, as directed by the order. The agency or tribunal  
1004 shall furnish to a requesting party or tribunal of another state

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1005 or a foreign country a certified statement by the custodian of  
1006 the record of the amounts and dates of all payments received.

1007 (2) If neither the obligor, nor the obligee who is an  
1008 individual, nor the child resides in this state, upon request  
1009 from the support enforcement agency of this state or another  
1010 state, the support enforcement agency of this state or a  
1011 tribunal of this state shall:

1012 (a) Direct that the support payment be made to the support  
1013 enforcement agency in the state in which the obligee is  
1014 receiving services; and

1015 (b) Issue and send to the obligor's employer a conforming  
1016 income-withholding order or an administrative notice of change  
1017 of payee, reflecting the redirected payments.

1018 (3) The support enforcement agency of this state receiving  
1019 redirected payments from another state pursuant to a law similar  
1020 to subsection (2) shall furnish to a requesting party or  
1021 tribunal of the other state a certified statement by the  
1022 custodian of the record of the amount and dates of all payments  
1023 received.

1024 Section 33. Section 88.4011, Florida Statutes, is amended  
1025 to read:

1026 88.4011 Establishment of ~~Petition to establish~~ support  
1027 order.—

1028 (1) If a support order entitled to recognition under this  
1029 act has not been issued, a responding tribunal of this state  
1030 with personal jurisdiction over the parties may issue a support  
1031 order if:

1032 (a) The individual seeking the order resides outside this

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1033 ~~in another~~ state; or

1034 (b) The support enforcement agency seeking the order is  
1035 located outside this ~~in another~~ state.

1036 (2) The tribunal may issue a temporary child support order  
1037 if the tribunal determines that such an order is appropriate and  
1038 the individual ordered to pay is:

1039 (a) A presumed father of the child;

1040 (b) Petitioning to have his paternity adjudicated;

1041 (c) Identified as the father of the child through genetic  
1042 testing;

1043 (d) An alleged father who has declined to submit to  
1044 genetic testing;

1045 (e) Shown by clear and convincing evidence to be the  
1046 father of the child;

1047 (f) An acknowledged father as provided in s. 382.013, s.  
1048 382.016, or s. 742.10;

1049 (g) The mother of the child; or

1050 (h) An individual who has been ordered to pay child  
1051 support in a previous proceeding and the order has not been  
1052 reversed or vacated

1053 ~~(a) The respondent has signed a verified statement~~  
1054 ~~acknowledging parentage;~~

1055 ~~(b) The respondent has been determined by or pursuant to~~  
1056 ~~law to be the parent; or~~

1057 ~~(c) There is other clear and convincing evidence that the~~  
1058 ~~respondent is the child's parent.~~

1059 (3) Upon finding, after notice and opportunity to be  
1060 heard, that an obligor owes a duty of support, the tribunal

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shall issue a support order directed to the obligor and may issue other orders pursuant to s. 88.3051.

Section 34. Section 88.4021, Florida Statutes, is created to read:

88.4021 Proceeding to determine parentage.—A tribunal of this state authorized to determine parentage of a child may serve as a responding tribunal in a proceeding to determine parentage of a child brought under this act or a law or procedure substantially similar to this act.

Section 35. The Division of Statutory Revision is directed to redesignate part V of chapter 88, Florida Statutes, as "ENFORCEMENT OF SUPPORT ORDER OF ANOTHER STATE WITHOUT REGISTRATION."

Section 36. Section 88.5011, Florida Statutes, is amended to read:

88.5011 Employer's receipt of income-withholding order of another state.—An income-withholding order issued in another state may be sent by or on behalf of the obligee, or by the support enforcement agency, to the person ~~or entity~~ defined as the obligor's employer under the income deduction law of this state or payor as defined by s. 61.046, without first filing a petition or comparable pleading or registering the order with a tribunal of this state.

Section 37. Paragraph (b) of subsection (3) of section 88.50211, Florida Statutes, is amended to read:

88.50211 Employer's compliance with income-withholding order of another state.—

(3) Except as otherwise provided by subsection (4) and s.

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88.5031, the employer shall withhold and distribute the funds as directed in the withholding order by complying with the terms of the order which specify:

(b) The person ~~or agency~~ designated to receive payments and the address to which the payments are to be forwarded;

Section 38. Section 88.5031, Florida Statutes, is amended to read:

88.5031 Employer's compliance with two or more ~~multiple~~ income-withholding orders.—If the obligor's employer receives two or more ~~multiple~~ income-withholding orders with respect to the earnings of the same obligor, the employer satisfies the terms of the ~~multiple~~ orders if the employer complies with the law of the state of the obligor's principal place of employment to establish the priorities for withholding and allocating income withheld for two or more ~~multiple~~ child support obligees.

Section 39. Section 88.5041, Florida Statutes, is amended to read:

88.5041 Immunity from civil liability.—An employer that ~~who~~ complies with an income-withholding order issued in another state in accordance with this article is not subject to civil liability to an individual or agency with regard to the employer's withholding of child support from the obligor's income.

Section 40. Section 88.5051, Florida Statutes, is amended to read:

88.5051 Penalties for noncompliance.—An employer that ~~who~~ willfully fails to comply with an income-withholding order issued by another state and received for enforcement is subject



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1117 to the same penalties that may be imposed for noncompliance with  
1118 an order issued by a tribunal of this state.

1119 Section 41. Section 88.5061, Florida Statutes, is amended  
1120 to read:

1121 88.5061 Contest by obligor.—

1122 (1) An obligor may contest the validity or enforcement of  
1123 an income-withholding order issued in another state and received  
1124 directly by an employer in this state by registering the order  
1125 in a tribunal of this state and filing a contest to that order  
1126 as provided in part VI of this chapter, or otherwise contesting  
1127 the order in the same manner as if the order had been issued by  
1128 a tribunal of this state. ~~Section 88.6041, choice of law,~~  
1129 ~~applies to the contest.~~

1130 (2) The obligor shall give notice of the contest to:

1131 (a) A support enforcement agency providing services to the  
1132 obligee;

1133 (b) Each employer that has directly received an income-  
1134 withholding order relating to the obligor; and

1135 (c) The person ~~or agency~~ designated to receive payments in  
1136 the income-withholding order, or if no person ~~or agency~~ is  
1137 designated, to the obligee.

1138 Section 42. Subsection (1) of section 88.5071, Florida  
1139 Statutes, is amended to read:

1140 88.5071 Administrative enforcement of orders.—

1141 (1) A party or support enforcement agency seeking to  
1142 enforce a support order or an income-withholding order, or both,  
1143 issued in ~~by a tribunal of~~ another state or a foreign support  
1144 order may send the documents required for registering the order

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1145 to a support enforcement agency of this state.

1146 Section 43. (1) The Division of Statutory Revision is  
1147 directed to redesignate part VI of chapter 88, Florida Statutes,  
1148 as "REGISTRATION, ENFORCEMENT, AND MODIFICATION OF SUPPORT  
1149 ORDER."

1150 (2) The Division of Statutory Revision is directed to  
1151 divide part VI of chapter 88, Florida Statutes, into subpart A,  
1152 consisting of ss. 88.6011-88.6041, Florida Statutes, to be  
1153 entitled "Registration and Enforcement of Support Order;"  
1154 subpart B, consisting of ss. 88.6051-88.6081, Florida Statutes,  
1155 to be entitled "Contest of Validity or Enforcement;" subpart C,  
1156 consisting of ss. 88.6091-88.6141, Florida Statutes, to be  
1157 entitled "Registration and Modification of Child Support Order  
1158 of Another State;" and subpart D, consisting of ss. 88.6151 and  
1159 88.6161, Florida Statutes, to be entitled "Registration and  
1160 Modification of Foreign Child Support Order."

1161 Section 44. Section 88.6011, Florida Statutes, is amended  
1162 to read:

1163 88.6011 Registration of order for enforcement.—A support  
1164 order or an income-withholding order issued in ~~by a tribunal of~~  
1165 another state or a foreign support order may be registered in  
1166 this state for enforcement.

1167 Section 45. Section 88.6021, Florida Statutes, is amended  
1168 to read:

1169 88.6021 Procedure to register order for enforcement.—

1170 (1) Except as otherwise provided in s. 88.7061, a support  
1171 order or income-withholding order of another state or a foreign  
1172 support order may be registered in this state by sending the

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1173 following records ~~documents and information~~ to the appropriate  
1174 tribunal in this state:

1175 (a) A letter of transmittal to the tribunal requesting  
1176 registration and enforcement.

1177 (b) Two copies, including one certified copy, of the order  
1178 ~~all orders~~ to be registered, including any modification of the  
1179 ~~an~~ order.

1180 (c) A sworn statement by the person requesting party  
1181 ~~seeking~~ registration or a certified statement by the custodian  
1182 of the records showing the amount of any arrearage.

1183 (d) The name of the obligor and, if known:

1184 1. The obligor's address and social security number.

1185 2. The name and address of the obligor's employer and any  
1186 other source of income of the obligor.

1187 3. A description and the location of property of the  
1188 obligor in this state not exempt from execution.

1189 (e) Except as otherwise provided in s. 88.3121, the name  
1190 and address of the obligee and, if applicable, the ~~agency or~~  
1191 person to whom support payments are to be remitted.

1192 (2) On receipt of a request for registration, the  
1193 registering tribunal shall cause the order to be filed as an  
1194 order of a tribunal of another state or a foreign support order  
1195 ~~a foreign judgment~~, together with one copy of the documents and  
1196 information, regardless of their form.

1197 (3) A petition or comparable pleading seeking a remedy  
1198 that must be affirmatively sought under other law of this state  
1199 may be filed at the same time as the request for registration or  
1200 later. The pleading must specify the grounds for the remedy

sought.

(4) If two or more orders are in effect, the person requesting registration shall:

(a) Furnish to the tribunal a copy of every support order asserted to be in effect in addition to the documents specified in this section;

(b) Specify the order alleged to be the controlling order, if any; and

(c) Specify the amount of consolidated arrears, if any.

(5) A request for a determination of which is the controlling order may be filed separately or with a request for registration and enforcement or for registration and modification. The person requesting registration shall give notice of the request to each party whose rights may be affected by the determination.

Section 46. Section 88.6031, Florida Statutes, is amended to read:

88.6031 Effect of registration for enforcement.—

(1) A support order or income-withholding order issued in another state or a foreign support order is registered when the order is filed in the registering tribunal of this state.

(2) A registered support order issued in another state or a foreign country is enforceable in the same manner and is subject to the same procedures as an order issued by a tribunal of this state.

(3) Except as otherwise provided in this act ~~article~~, a tribunal of this state shall recognize and enforce, but may not modify, a registered support order if the issuing tribunal had

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jurisdiction.

Section 47. Section 88.6041, Florida Statutes, is amended to read:

88.6041 Choice of law.—

(1) Except as otherwise provided in subsection (4), the law of the issuing state or foreign country governs:

(a) The nature, extent, amount, and duration of current payments under a registered support order; and other obligations of support and

(b) The computation and payment of arrearages and accrual of interest on the arrearages under the order; and

(c) The existence and satisfaction of other obligations under the support order.

(2) In a proceeding for arrears under a registered support order ~~arrearages~~, the statute of limitation ~~under the laws of~~ this state or of the issuing state or foreign country, whichever is longer, applies.

(3) A responding tribunal of this state shall apply the procedures and remedies of this state to enforce current support and collect arrears and interest due on a support order of another state or foreign country registered in this state.

(4) After a tribunal of this or another state determines which is the controlling order and issues an order consolidating arrears, if any, a tribunal of this state shall prospectively apply the law of the state or foreign country issuing the controlling order, including its law on interest on arrears, on current and future support, and on consolidated arrears.

1256 Section 48. Section 88.6051, Florida Statutes, is amended  
1257 to read:

1258 88.6051 Notice of registration of order.—

1259 (1) When a support order or income-withholding order  
1260 issued in another state or a foreign support order is  
1261 registered, the registering tribunal of this state shall notify  
1262 the nonregistering party. The notice must be accompanied by a  
1263 copy of the registered order and the documents and relevant  
1264 information accompanying the order.

1265 (2) A ~~The~~ notice must inform the nonregistering party:

1266 (a) That a registered order is enforceable as of the date  
1267 of registration in the same manner as an order issued by a  
1268 tribunal of this state.

1269 (b) That a hearing to contest the validity or enforcement  
1270 of the registered order must be requested within 20 days after  
1271 the date of mailing or personal service of the notice, unless  
1272 the registered order is under s. 88.7071.

1273 (c) That failure to contest the validity or enforcement of  
1274 the registered order in a timely manner will result in  
1275 confirmation of the order and enforcement of the order and the  
1276 alleged arrearages and precludes further contest of that order  
1277 with respect to any matter that could have been asserted.

1278 (d) Of the amount of any alleged arrearages.

1279 (3) If the registering party asserts that two or more  
1280 orders are in effect, a notice must also:

1281 (a) Identify the two or more orders and the order alleged  
1282 by the registering party to be the controlling order and the  
1283 consolidated arrears, if any;

1284        (b) Notify the nonregistering party of the right to a  
1285 determination of which is the controlling order;

1286        (c) State that the procedures provided in subsection (2)  
1287 apply to the determination of which is the controlling order;  
1288 and

1289        (d) State that failure to contest the validity or  
1290 enforcement of the order alleged to be the controlling order in  
1291 a timely manner may result in confirmation that the order is the  
1292 controlling order.

1293        (4)(3) Upon registration of an income-withholding order  
1294 for enforcement, the support enforcement agency or the  
1295 registering tribunal shall notify the obligor's employer  
1296 pursuant to chapter 61 or other income deduction law of this  
1297 state.

1298        Section 49. Subsections (1) and (2) of section 88.6061,  
1299 Florida Statutes, are amended to read:

1300        88.6061 Procedure to contest validity or enforcement of  
1301 registered order.—

1302        (1) A nonregistering party seeking to contest the validity  
1303 or enforcement of a registered order in this state shall request  
1304 a hearing within the time required by s. 88.6051 ~~20 days after~~  
1305 ~~notice of the registration.~~ The nonregistering party may seek to  
1306 vacate the registration, to assert any defense to an allegation  
1307 of noncompliance with the registered order, or to contest the  
1308 remedies being sought or the amount of any alleged arrearages  
1309 pursuant to s. 88.6071.

1310        (2) If the nonregistering party fails to contest the  
1311 validity or enforcement of the registered support order in a

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timely manner, the order is confirmed by operation of law.

Section 50. Section 88.6071, Florida Statutes, is amended to read:

88.6071 Contest of registration or enforcement.—

(1) A party contesting the validity or enforcement of a registered support order or seeking to vacate the registration has the burden of proving one or more of the following defenses:

(a) The issuing tribunal lacked personal jurisdiction over the contesting party;

(b) The order was obtained by fraud;

(c) The order has been vacated, suspended, or modified by a later order;

(d) The issuing tribunal has stayed the order pending appeal;

(e) There is a defense under the law of this state to the remedy sought;

(f) Full or partial payment has been made; ~~or~~

(g) The statute of limitation under s. 88.6041 precludes enforcement of some or all of the alleged arrearages; or

(h) The alleged controlling order is not the controlling order.

(2) If a party presents evidence establishing a full or partial defense under subsection (1), a tribunal may stay enforcement of a ~~the~~ registered support order, continue the proceeding to permit production of additional relevant evidence, and issue other appropriate orders. An uncontested portion of the registered support order may be enforced by all remedies available under the law of this state.



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1340 (3) If the contesting party does not establish a defense  
1341 under subsection (1) to the validity or enforcement of a  
1342 registered support ~~the~~ order, the registering tribunal shall  
1343 issue an order confirming the order.

1344 Section 51. Section 88.6081, Florida Statutes, is amended  
1345 to read:

1346 88.6081 Confirmed order.—Confirmation of a registered  
1347 support order, whether by operation of law or after notice and  
1348 hearing, precludes further contest of the order with respect to  
1349 any matter that could have been asserted at the time of  
1350 registration.

1351 Section 52. Section 88.6091, Florida Statutes, is amended  
1352 to read:

1353 88.6091 Procedure to register child support order of  
1354 another state for modification.—A party or support enforcement  
1355 agency seeking to modify, or to modify and enforce, a child  
1356 support order issued in another state shall register that order  
1357 in this state in the same manner provided in ss. 88.6011-88.6081  
1358 ~~88.6011-88.6041~~ if the order has not been registered. A petition  
1359 for modification may be filed at the same time as a request for  
1360 registration, or later. The pleading must specify the grounds  
1361 for modification.

1362 Section 53. Section 88.6111, Florida Statutes, is amended  
1363 to read:

1364 88.6111 Modification of child support order of another  
1365 state.—

1366 (1) If s. 88.6131 does not apply, upon petition, a  
1367 tribunal of this state may modify ~~After~~ a child support order

1368 issued in another state which is ~~has been~~ registered in this  
1369 state, ~~the responding tribunal of this state may modify that~~  
1370 ~~order only if, s. 88.6131 does not apply and~~ after notice and  
1371 hearing, the tribunal ~~it~~ finds that:

1372 (a) The following requirements are met:

1373 1. Neither the child, nor the ~~individual~~ obligee who is an  
1374 individual, nor ~~and~~ the obligor resides ~~do not reside~~ in the  
1375 issuing state;

1376 2. A petitioner who is a nonresident of this state seeks  
1377 modification; and

1378 3. The respondent is subject to the personal jurisdiction  
1379 of the tribunal of this state; or

1380 (b) This state is the state of residence of the child, or  
1381 a party who is an individual, is subject to the personal  
1382 jurisdiction of the tribunal of this state and all of the  
1383 parties who are individuals have filed ~~written~~ consents in a  
1384 record in the issuing tribunal for a tribunal of this state to  
1385 modify the support order and assume continuing exclusive  
1386 jurisdiction ~~over the order. However, if the issuing state is a~~  
1387 ~~foreign jurisdiction that has not enacted a law or established~~  
1388 ~~procedures substantially similar to the procedures under this~~  
1389 ~~act, the consent otherwise required of an individual residing in~~  
1390 ~~this state is not required for the tribunal to assume~~  
1391 ~~jurisdiction to modify the child support order.~~

1392 (2) Modification of a registered child support order is  
1393 subject to the same requirements, procedures, and defenses that  
1394 apply to the modification of an order issued by a tribunal of  
1395 this state and the order may be enforced and satisfied in the

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1396 same manner.

1397 (3) A tribunal of this state may not modify any aspect of  
1398 a child support order that may not be modified under the law of  
1399 the issuing state, including the duration of the obligation of  
1400 support. If two or more tribunals have issued child support  
1401 orders for the same obligor and same child, the order that  
1402 controls and must be so recognized under s. 88.2071 establishes  
1403 the aspects of the support order which are nonmodifiable.

1404 (4) In a proceeding to modify a child support order, the  
1405 law of the state that is determined to have issued the initial  
1406 controlling order governs the duration of the obligation of  
1407 support. The obligor's fulfillment of the duty of support  
1408 established by that order precludes imposition of a further  
1409 obligation of support by a tribunal of this state.

1410 (5)-(4) On issuance of an order by a tribunal of this state  
1411 modifying a child support order issued in another state, the a  
1412 tribunal of this state becomes the tribunal of continuing  
1413 exclusive jurisdiction.

1414 (6) Notwithstanding subsections (1)-(5) and s. 88.2011(2),  
1415 a tribunal of this state retains jurisdiction to modify an order  
1416 issued by a tribunal of this state if:

1417 (a) One party resides in another state; and

1418 (b) The other party resides outside the United States.

1419 Section 54. Section 88.6121, Florida Statutes, is amended  
1420 to read:

1421 88.6121 Recognition of order modified in another state.—If  
1422 a child support order issued by a tribunal of this state is  
1423 modified ~~shall recognize a modification of its earlier child~~

1424 ~~support order~~ by a tribunal of another state which assumed  
1425 jurisdiction pursuant to the Uniform Interstate Family Support  
1426 Act, a tribunal of this state ~~this act or a law substantially~~  
1427 ~~similar to this act and, upon request, except as otherwise~~  
1428 ~~provided in this act, shall:~~

1429 (1) May enforce the order that was modified only as to  
1430 arrear and interest ~~amounts~~ accruing before the modification.

1431 ~~(2) Enforce only nonmodifiable aspects of that order.~~

1432 ~~(2)(3)~~ May provide ~~other~~ appropriate relief ~~only~~ for  
1433 violations of its ~~that~~ order which occurred before the effective  
1434 date of the modification.

1435 ~~(3)(4)~~ Shall recognize the modifying order of the other  
1436 state, upon registration, for the purpose of enforcement.

1437 Section 55. Section 88.6151, Florida Statutes, is created  
1438 to read:

1439 88.6151 Jurisdiction to modify child support order of  
1440 foreign country.-

1441 (1) Except as otherwise provided in s. 88.7111, if a  
1442 foreign country lacks or refuses to exercise jurisdiction to  
1443 modify its child support order pursuant to its laws, a tribunal  
1444 of this state may assume jurisdiction to modify the child  
1445 support order and bind all individuals subject to the personal  
1446 jurisdiction of the tribunal whether the consent to modification  
1447 of a child support order otherwise required of the individual  
1448 pursuant to s. 88.6111 has been given or whether the individual  
1449 seeking modification is a resident of this state or of the  
1450 foreign country.

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1451       (2) An order issued by a tribunal of this state modifying  
1452 a foreign child support order pursuant to this section is the  
1453 controlling order.

1454       Section 56. Section 88.6161, Florida Statutes, is created  
1455 to read:

1456       88.6161 Procedure to register child support order of  
1457 foreign country for modification.—A party or support enforcement  
1458 agency seeking to modify, or to modify and enforce, a foreign  
1459 child support order not under the convention may register that  
1460 order in this state under ss. 88.6011-88.6081 if the order has  
1461 not been registered. A petition for modification may be filed at  
1462 the same time as a request for registration, or at another time.  
1463 The petition must specify the grounds for modification.

1464       Section 57. The Division of Statutory Revision is directed  
1465 to redesignate part VII of chapter 88, Florida Statutes, as  
1466 "SUPPORT PROCEEDING UNDER CONVENTION."

1467       Section 58. Section 88.7011, Florida Statutes, is  
1468 repealed.

1469       Section 59. Section 88.70111, Florida Statutes, is created  
1470 to read:

1471       88.70111 Definitions.—As used in this part, the term:

1472       (1) "Application" means a request under the convention by  
1473 an obligee or obligor, or on behalf of a child, made through a  
1474 central authority for assistance from another central authority.

1475       (2) "Central authority" means the entity designated by the  
1476 United States or a foreign country described in s. 88.1011(5)(d)  
1477 to perform the functions specified in the convention.

1478       (3) "Convention support order" means a support order of a

tribunal of a foreign country described in s. 88.1011(5)(d).

(4) "Direct request" means a petition filed by an individual in a tribunal of this state in a proceeding involving an obligee, obligor, or child residing outside the United States.

(5) "Foreign central authority" means the entity designated by a foreign country described in s. 88.1011(5)(d) to perform the functions specified in the convention.

(6) "Foreign support agreement":

(a) Means an agreement for support in a record that:

1. Is enforceable as a support order in the country of origin;

2. Has been:

a. Formally drawn up or registered as an authentic instrument by a foreign tribunal; or

b. Authenticated by or concluded, registered, or filed with a foreign tribunal; and

3. May be reviewed and modified by a foreign tribunal; and

(b) Includes a maintenance arrangement or authentic instrument under the convention.

(7) "United States central authority" means the Secretary of the United States Department of Health and Human Services.

Section 60. Section 88.7021, Florida Statutes, is created to read:

88.7021 Applicability.—This part applies only to a support proceeding under the convention. In such a proceeding, if a provision of this part is inconsistent with parts I through VI, this part controls.

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Section 61. Section 88.7031, Florida Statutes, is created to read:

88.7031 Relationship of Department of Revenue to United States central authority.—The Department of Revenue is recognized as the agency designated by the United States central authority to perform specific functions under the convention.

Section 62. Section 88.7041, Florida Statutes, is created to read:

88.7041 Initiation by Department of Revenue of support proceeding under convention.—

(1) In a support proceeding under this part, the Department of Revenue shall:

(a) Transmit and receive applications; and

(b) Initiate or facilitate the institution of a proceeding regarding an application in a tribunal of this state.

(2) The following support proceedings are available to an obligee under the convention:

(a) Recognition or recognition and enforcement of a foreign support order.

(b) Enforcement of a support order issued or recognized in this state.

(c) Establishment of a support order if there is no existing order, including, where necessary, determination of parentage of a child.

(d) Establishment of a support order if recognition of a foreign support order is refused under s. 88.7081(2)(b), (d), or (i).

(e) Modification of a support order of a tribunal of this

1535 state.

1536 (f) Modification of a support order of a tribunal of  
1537 another state or a foreign country.

1538 (3) The following support proceedings are available under  
1539 the convention to an obligor against whom there is an existing  
1540 support order:

1541 (a) Recognition of an order suspending or limiting  
1542 enforcement of an existing support order of a tribunal of this  
1543 state.

1544 (b) Modification of a support order of a tribunal of this  
1545 state.

1546 (c) Modification of a support order of a tribunal of  
1547 another state or foreign country.

1548 (4) A tribunal of this state may not require security,  
1549 bond, or deposit, however described, to guarantee the payment of  
1550 costs and expenses in proceedings under the convention.

1551 Section 63. Section 88.7051, Florida Statutes, is created  
1552 to read:

1553 88.7051 Direct request.—

1554 (1) A petitioner may file a direct request seeking  
1555 establishment or modification of a support order or  
1556 determination of parentage of a child. In the proceeding, the  
1557 law of this state applies.

1558 (2) A petitioner may file a direct request in a tribunal  
1559 of this state seeking recognition and enforcement of a support  
1560 order or support agreement. In such a proceeding, the provisions  
1561 of ss. 88.7061-88.7131 apply.

1562 (3) In a direct request for recognition and enforcement of



1563 a convention support order or foreign support agreement:

1564 (a) A security, bond, or deposit is not required to  
1565 guarantee the payment of costs and expenses; and

1566 (b) An obligee or obligor that in the issuing country has  
1567 benefited from free legal assistance is entitled to benefit, at  
1568 least to the same extent, from any free legal assistance  
1569 provided for by the law of this state under the same  
1570 circumstances.

1571 (4) An individual filing a direct request is not entitled  
1572 to assistance from the Department of Revenue.

1573 (5) This part does not prevent the application of laws of  
1574 this state that provide simplified, more expeditious rules  
1575 regarding a direct request for recognition and enforcement of a  
1576 foreign support order or foreign support agreement.

1577 Section 64. Section 88.7061, Florida Statutes, is created  
1578 to read:

1579 88.7061 Registration of convention support order.—

1580 (1) Except as otherwise provided in this part, a party who  
1581 is an individual or a support enforcement agency seeking  
1582 recognition of a convention support order shall register the  
1583 order in this state as provided in part VI of this chapter.

1584 (2) Notwithstanding ss. 88.3111 and 88.6021(1), a request  
1585 for registration of a convention support order must be  
1586 accompanied by the following:

1587 (a) A complete text of the support order, or an abstract  
1588 or extract of the support order drawn up by the issuing foreign  
1589 tribunal, which may be in the form recommended by the Hague  
1590 Conference on Private International Law.

1591        (b) A record stating that the support order is enforceable  
1592 in the issuing country.

1593        (c) If the respondent did not appear and was not  
1594 represented in the proceedings in the issuing country, a record  
1595 attesting, as appropriate, either that the respondent had proper  
1596 notice of the proceedings and an opportunity to be heard, or  
1597 that the respondent had proper notice of the support order and  
1598 the opportunity to be heard in a challenge or appeal on fact or  
1599 law before a tribunal.

1600        (d) A record showing the amount of any arrears, and the  
1601 date the amount was calculated.

1602        (e) A record showing a requirement for automatic  
1603 adjustment of the amount of support, if any, and the information  
1604 necessary to make the appropriate calculations, if necessary.

1605        (f) A record showing the extent to which the applicant  
1606 received free legal assistance in the issuing country.

1607        (3) A request for registration of a convention support  
1608 order may seek recognition and partial enforcement of the order.

1609        (4) A tribunal of this state may vacate the registration  
1610 of a convention support order without the filing of a contest  
1611 under s. 88.7071 only if, acting on its own motion, the tribunal  
1612 finds that recognition and enforcement of the order would be  
1613 manifestly incompatible with public policy.

1614        (5) The tribunal shall promptly notify the parties of the  
1615 registration or the order vacating the registration of a  
1616 convention support order.

1617        Section 65. Section 88.7071, Florida Statutes, is created  
1618 to read:

88.7071 Contest of registered convention support order.—

(1) Except as otherwise provided in this part, ss.

88.6051-88.6081 apply to a contest of a registered convention support order.

(2) A party contesting a registered convention support order shall file a contest not later than 30 days after notice of the registration, but if the contesting party does not reside in the United States, the contest must be filed not later than 60 days after notice of the registration.

(3) If the nonregistering party fails to contest the registered convention support order by the time specified in subsection (2), the order is enforceable.

(4) A contest of a registered convention support order may be based only on grounds set forth in s. 88.7081. The contesting party bears the burden of proof.

(5) In a contest of a registered convention support order, a tribunal of this state:

(a) Is bound by the findings of fact on which the foreign tribunal based its jurisdiction; and

(b) May not review the merits of the order.

(6) A tribunal of this state deciding a contest of a registered convention support order shall promptly notify the parties of its decision.

(7) A challenge or appeal, if any, does not stay the enforcement of a convention support order unless there are exceptional circumstances.

Section 66. Section 88.7081, Florida Statutes, is created to read:

1647 88.7081 Recognition and enforcement of convention support  
1648 order.—

1649 (1) Except as otherwise provided in subsection (2), a  
1650 tribunal of this state shall recognize and enforce a registered  
1651 convention support order.

1652 (2) The following grounds are the only grounds on which a  
1653 tribunal of this state may refuse recognition and enforcement of  
1654 a registered convention support order:

1655 (a) Recognition and enforcement of the order is manifestly  
1656 incompatible with public policy, including the failure of the  
1657 issuing tribunal to observe minimum standards of due process,  
1658 which include notice and an opportunity to be heard;

1659 (b) The issuing tribunal lacked personal jurisdiction  
1660 consistent with s. 88.2011;

1661 (c) The order is not enforceable in the issuing country;

1662 (d) The order was obtained by fraud in connection with a  
1663 matter of procedure;

1664 (e) A record transmitted in accordance with s. 88.7061  
1665 lacks authenticity or integrity;

1666 (f) A proceeding between the same parties and having the  
1667 same purpose is pending before a tribunal of this state and that  
1668 proceeding was the first to be filed;

1669 (g) The order is incompatible with a more recent support  
1670 order involving the same parties and having the same purpose if  
1671 the more recent support order is entitled to recognition and  
1672 enforcement under this act in this state;

1673 (h) Payment, to the extent alleged arrears have been paid  
1674 in whole or in part;

1675 (i) In a case in which the respondent neither appeared nor  
1676 was represented in the proceeding in the issuing foreign  
1677 country:

1678 1. If the law of that country provides for prior notice of  
1679 proceedings, the respondent did not have proper notice of the  
1680 proceedings and an opportunity to be heard; or

1681 2. If the law of that country does not provide for prior  
1682 notice of the proceedings, the respondent did not have proper  
1683 notice of the order and an opportunity to be heard in a  
1684 challenge or appeal on fact or law before a tribunal; or

1685 (j) The order was made in violation of s. 88.7111.

1686 (3) If a tribunal of this state does not recognize a  
1687 convention support order under paragraph (2) (b), (d), (f), or  
1688 (i):

1689 (a) The tribunal may not dismiss the proceeding without  
1690 allowing a reasonable time for a party to request the  
1691 establishment of a new convention support order; and

1692 (b) The Department of Revenue shall take all appropriate  
1693 measures to request a child support order for the obligee if the  
1694 application for recognition and enforcement was received under  
1695 s. 88.7041.

1696 Section 67. Section 88.7091, Florida Statutes, is created  
1697 to read:

1698 88.7091 Partial enforcement.—If a tribunal of this state  
1699 does not recognize and enforce a convention support order in its  
1700 entirety, it shall enforce any severable part of the order. An  
1701 application or direct request may seek recognition and partial  
1702 enforcement of a convention support order.

1703       Section 68. Section 88.7101, Florida Statutes, is created  
1704 to read:

1705       88.7101 Foreign support agreement.—

1706       (1) Except as provided in subsections (3) and (4), a  
1707 tribunal of this state shall recognize and enforce a foreign  
1708 support agreement registered in this state.

1709       (2) An application or direct request for recognition and  
1710 enforcement of a foreign support agreement must be accompanied  
1711 by:

1712       (a) A complete text of the foreign support agreement; and

1713       (b) A record stating that the foreign support agreement is  
1714 enforceable as an order of support in the issuing country.

1715       (3) A tribunal of this state may vacate the registration  
1716 of a foreign support agreement only if, acting on its own  
1717 motion, the tribunal finds that recognition and enforcement  
1718 would be manifestly incompatible with public policy.

1719       (4) In a contest of a foreign support agreement, a  
1720 tribunal of this state may refuse recognition and enforcement of  
1721 the agreement if it finds:

1722       (a) Recognition and enforcement of the agreement is  
1723 manifestly incompatible with public policy;

1724       (b) The agreement was obtained by fraud or falsification;

1725       (c) The agreement is incompatible with a support order  
1726 issued between the same parties and having the same purpose in  
1727 this state, another state, or a foreign country if the support  
1728 order is entitled to recognition in this state; or

1729       (d) The record submitted under subsection (2) lacks  
1730 authenticity or integrity.

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1731       (5) A proceeding for recognition and enforcement of a  
1732 foreign support agreement must be suspended during the pendency  
1733 of a challenge to or appeal of the agreement before a tribunal  
1734 of another state or a foreign country.

1735       Section 69. Section 88.7111, Florida Statutes, is created  
1736 to read:

1737       88.7111 Modification of convention child support order.—

1738       (1) A tribunal of this state may not modify a convention  
1739 child support order if the obligee remains a resident of the  
1740 foreign country where the support order was issued unless:

1741       (a) The obligee submits to the jurisdiction of a tribunal  
1742 of this state, either expressly or by defending on the merits of  
1743 the case without objecting to the jurisdiction at the first  
1744 available opportunity; or

1745       (b) The foreign tribunal lacks or refuses to exercise  
1746 jurisdiction to modify its support order or issue a new support  
1747 order.

1748       (2) If a tribunal of this state does not modify a  
1749 convention child support order because the order is not  
1750 recognized in this state, the provisions of s. 88.7081(3) apply.

1751       Section 70. Section 88.7121, Florida Statutes, is created  
1752 to read:

1753       88.7121 Personal information; limit on use.—Personal  
1754 information gathered or transmitted under this part may be used  
1755 only for the purposes for which it was gathered or transmitted.

1756       Section 71. Section 88.7131, Florida Statutes, is created  
1757 to read:

1758       88.7131 Record in original language; English translation.—

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1759 A record filed with a tribunal of this state under this part  
1760 must be in the original language and, if not in English, must be  
1761 accompanied by an English translation.

1762 Section 72. Paragraph (b) of subsection (2) of section  
1763 88.8011, Florida Statutes, is amended to read:

1764 88.8011 Grounds for rendition.—

1765 (2) The Governor of this state may:

1766 (b) On the demand of ~~by~~ the Governor of another state,  
1767 surrender an individual found in this state who is charged  
1768 criminally in the other state with having failed to provide for  
1769 the support of an obligee.

1770 Section 73. Section 88.9011, Florida Statutes, is amended  
1771 to read:

1772 88.9011 Uniformity of application and construction.—In  
1773 applying and construing this uniform act, consideration must be  
1774 given to the need to promote uniformity of ~~This act shall be~~  
1775 ~~applied and construed to effectuate its general purpose to make~~  
1776 ~~uniform~~ the law with respect to its ~~the~~ subject matter ~~of this~~  
1777 ~~act~~ among states that enact ~~enacting~~ it.

1778 Section 74. Section 88.9021, Florida Statutes, is created  
1779 to read:

1780 88.9021 Transitional provision.—This act applies to  
1781 proceedings begun on or after the effective date of this act to  
1782 establish a support order or determine parentage of a child or  
1783 to register, recognize, enforce, or modify a prior support  
1784 order, determination, or agreement, whenever issued or entered.

1785 Section 75. Section 88.9031, Florida Statutes, is amended  
1786 to read:



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1787           88.9031 Severability ~~clause~~.—If any provision of this act  
1788 or its application to any person or circumstance is held  
1789 invalid, the invalidity does not affect other provisions or  
1790 applications of this act which can be given effect without the  
1791 invalid provision or application, and to this end the provisions  
1792 of this act are severable.

1793           Section 76. Paragraph (a) of subsection (7) of section  
1794 61.13, Florida Statutes, is amended to read:

1795           61.13 Support of children; parenting and time-sharing;  
1796 powers of court.—

1797           (7)(a) Each party to any paternity or support proceeding  
1798 is required to file with the tribunal as defined in s.  
1799 ~~88.1011(22)~~ and State Case Registry upon entry of an order, and  
1800 to update as appropriate, information on location and identity  
1801 of the party, including social security number, residential and  
1802 mailing addresses, telephone number, driver's license number,  
1803 and name, address, and telephone number of employer. Each party  
1804 to any paternity or child support proceeding in a non-Title IV-D  
1805 case shall meet the above requirements for updating the tribunal  
1806 and State Case Registry.

1807           Section 77. Paragraph (b) of subsection (5) of section  
1808 827.06, Florida Statutes, is amended to read:

1809           827.06 Nonsupport of dependents.—

1810           (5)

1811           (b) The element of knowledge may be proven by evidence  
1812 that a court or tribunal as defined by s. ~~88.1011(22)~~ has  
1813 entered an order that obligates the defendant to provide the  
1814 support.

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1815           Section 78. Upon the passage of this bill, the Department  
1816 of Revenue is directed to apply for a waiver from the Federal  
1817 Office of Child Support Enforcement pursuant to the state plan  
1818 requirement under Title IV-D of the Social Security Act.

1819           Section 79. This act shall take effect upon the earlier of  
1820 90 days following Congress amending 42 U.S.C. s. 666(f) to allow  
1821 or require states to adopt the 2008 version of the Uniform  
1822 Interstate Family Support Act, or 90 days following the state  
1823 obtaining a waiver of its state plan requirement under Title IV-  
1824 D of the Social Security Act.