

1 A bill to be entitled
 2 An act relating to designated safe exchange locations;
 3 providing a short title; amending s. 61.13, F.S.;
 4 providing that a parent's use of a designated safe
 5 exchange location is proper cause to refuse to honor a
 6 time-sharing schedule under certain circumstances;
 7 requiring a court to consider the use of a safe
 8 exchange location when approving, granting, or
 9 modifying a parenting plan; amending s. 125.01, F.S.;
 10 requiring boards of county commissioners to designate
 11 certain areas as safe exchange locations; providing
 12 requirements for such areas; providing for immunity
 13 from liability; providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

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 17 Section 1. This act may be cited as the "Cassie Carli
 18 Law."

19 Section 2. Paragraph (c) of subsection (4) of section
 20 61.13, Florida Statutes, is amended, and subsection (10) is
 21 added to that section, to read:

22 61.13 Support of children; parenting and time-sharing;
 23 powers of court.—

24 (4)

25 (c)1. When a parent refuses to honor the time-sharing

26 | schedule in the parenting plan without proper cause, the court:

27 | ~~a.1.~~ Shall, after calculating the amount of time-sharing
28 | improperly denied, award the parent denied time a sufficient
29 | amount of extra time-sharing to compensate for the time-sharing
30 | missed, and such time-sharing shall be ordered as expeditiously
31 | as possible in a manner consistent with the best interests of
32 | the child and scheduled in a manner that is convenient for the
33 | parent deprived of time-sharing. In ordering any makeup time-
34 | sharing, the court shall schedule such time-sharing in a manner
35 | that is consistent with the best interests of the child or
36 | children and that is convenient for the nonoffending parent and
37 | at the expense of the noncompliant parent.

38 | ~~b.2.~~ May order the parent who did not provide time-sharing
39 | or did not properly exercise time-sharing under the time-sharing
40 | schedule to pay reasonable court costs and attorney's fees
41 | incurred by the nonoffending parent to enforce the time-sharing
42 | schedule.

43 | ~~c.3.~~ May order the parent who did not provide time-sharing
44 | or did not properly exercise time-sharing under the time-sharing
45 | schedule to attend a parenting course approved by the judicial
46 | circuit.

47 | ~~d.4.~~ May order the parent who did not provide time-sharing
48 | or did not properly exercise time-sharing under the time-sharing
49 | schedule to do community service if the order will not interfere
50 | with the welfare of the child.

51 ~~e.5.~~ May order the parent who did not provide time-sharing
52 or did not properly exercise time-sharing under the time-sharing
53 schedule to have the financial burden of promoting frequent and
54 continuing contact when that parent and child reside further
55 than 60 miles from the other parent.

56 ~~f.6.~~ May, upon the request of the parent who did not
57 violate the time-sharing schedule, modify the parenting plan if
58 modification is in the best interests of the child.

59 ~~g.7.~~ May impose any other reasonable sanction as a result
60 of noncompliance.

61 2. A parent's refusal to honor the time-sharing schedule
62 in a parenting plan is proper cause and is not subject to
63 subparagraph 1. or paragraph (d) if all of the following apply:

64 a. The parent has reasonable cause to believe that he or
65 she is in imminent danger of becoming a victim of domestic
66 violence by the other parent.

67 b. The parent uses a designated safe exchange location as
68 provided in s. 125.01(8) which is closest to the location in
69 which the exchange of custody of the child under the parenting
70 plan would otherwise take place.

71 c. The parent using the designated safe exchange location
72 provides notice to the other parent at least 3 hours before the
73 scheduled exchange of custody of his or her desire to use a
74 designated safe exchange location.

75 (10) In a proceeding under this chapter where a court

76 approves, grants, or modifies a parenting plan, the court must
77 consider whether it is in the best interests of the minor child
78 and the parties to require the parties to use a safe exchange
79 location as provided in s. 125.01(8) for the periodic exchange
80 of the minor child.

81
82 Section 3. Subsection (8) is added to section 125.01,
83 Florida Statutes, to read:

84 125.01 Powers and duties.—

85 (8)(a) The board of county commissioners in each county
86 shall designate at least one parking lot at a sheriff's office,
87 or substation thereof, as a safe exchange location at which
88 parents who exercise time-sharing pursuant to a parenting plan
89 or time-sharing schedule may meet to exchange custody of the
90 minor child.

91 (b) Each sheriff's office or substation parking lot
92 designated as a safe exchange location must install a purple
93 light on the parking lot premises to clearly identify the
94 designated area as a safe exchange location. The safe exchange
95 location must:

96 1. Be accessible 24 hours a day, 7 days a week.

97 2. Provide adequate lighting and an external video
98 surveillance system that records continuously, 24 hours a day, 7
99 days a week.

100 3. Provide at least one camera that is fixed on the

101 parking lot; is able to record the area in the vicinity of the
102 purple light during both day and night; records images that
103 clearly and accurately display the time and date; and retains
104 video surveillance recordings or images for at least 45 days.

105 (c) A cause of action shall not lie against the county,
106 the sheriff, a county commissioner, a law enforcement officer,
107 or an employee of the designated safe exchange location based on
108 any incident arising out of a meeting at a safe exchange
109 location pursuant to this subsection.

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