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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/15/2023	.	
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The Committee on Rules (Berman) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 156 - 161

and insert:

Section 3. Paragraph (b) of subsection (3) and paragraph (b) of subsection (6) of section 741.30, Florida Statutes, are amended to read:

741.30 Domestic violence; injunction; powers and duties of court and clerk; petition; notice and hearing; temporary injunction; issuance of injunction; statewide verification system; enforcement; public records exemption.—



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12 (3)

13 (b) The sworn petition shall be in substantially the  
14 following form:

15

16

PETITION FOR

17

INJUNCTION FOR PROTECTION

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AGAINST DOMESTIC VIOLENCE

19

20 Before me, the undersigned authority, personally appeared  
21 Petitioner ...(Name)..., who has been sworn and says that the  
22 following statements are true:

23 (a) Petitioner resides at: ...(address)...

24 (Petitioner may furnish address to the court in a separate  
25 confidential filing if, for safety reasons, the petitioner  
26 requires the location of the current residence to be  
27 confidential.)

28 (b) Respondent resides at: ...(last known address)...

29 (c) Respondent's last known place of employment: ...(name  
30 of business and address)...

31 (d) Physical description of respondent:.....

32 Race.....

33 Sex.....

34 Date of birth.....

35 Height.....

36 Weight.....

37 Eye color.....

38 Hair color.....

39 Distinguishing marks or scars.....

40 (e) Aliases of respondent:.....



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41 (f) Respondent is the spouse or former spouse of the  
42 petitioner or is any other person related by blood or marriage  
43 to the petitioner or is any other person who is or was residing  
44 within a single dwelling unit with the petitioner, as if a  
45 family, or is a person with whom the petitioner has a child in  
46 common, regardless of whether the petitioner and respondent are  
47 or were married or residing together, as if a family.

48 (g) The following describes any other cause of action  
49 currently pending between the petitioner and respondent:.....  
50 .....

51 The petitioner should also describe any previous or pending  
52 attempts by the petitioner to obtain an injunction for  
53 protection against domestic violence in this or any other  
54 circuit, and the results of that attempt:.....  
55 .....  
56 Case numbers should be included if available.

57 (h) Petitioner is either a victim of domestic violence or  
58 has reasonable cause to believe he or she is in imminent danger  
59 of becoming a victim of domestic violence because respondent  
60 has: ...(mark all sections that apply and describe in the spaces  
61 below the incidents of violence or threats of violence,  
62 specifying when and where they occurred, including, but not  
63 limited to, locations such as a home, school, place of  
64 employment, or visitation exchange)...

65 .....  
66 .....  
67 ....committed or threatened to commit domestic violence  
68 defined in s. 741.28, Florida Statutes, as any assault,  
69 aggravated assault, battery, aggravated battery, sexual assault,



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70 sexual battery, stalking, aggravated stalking, kidnapping, false  
71 imprisonment, or any criminal offense resulting in physical  
72 injury or death of one family or household member by another.  
73 With the exception of persons who are parents of a child in  
74 common, the family or household members must be currently  
75 residing or have in the past resided together in the same single  
76 dwelling unit.

77       ...previously threatened, harassed, stalked, or physically  
78 abused the petitioner.

79       ...attempted to harm the petitioner or family members or  
80 individuals closely associated with the petitioner.

81       ...threatened to conceal, kidnap, or harm the petitioner's  
82 child or children.

83       ...intentionally injured or killed a family pet.

84       ...used, or has threatened to use, against the petitioner  
85 any weapons such as guns or knives.

86       ...physically restrained the petitioner from leaving the  
87 home or calling law enforcement.

88       ...a criminal history involving violence or the threat of  
89 violence (if known).

90       ...another order of protection issued against him or her  
91 previously or from another jurisdiction (if known).

92       ...destroyed personal property, including, but not limited  
93 to, telephones or other communication equipment, clothing, or  
94 other items belonging to the petitioner.

95       ...engaged in a pattern of abusive, threatening,  
96 intimidating, or controlling behavior composed of a series of  
97 acts over a period of time, however short.

98       ...engaged in any other behavior or conduct that leads the



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99 petitioner to have reasonable cause to believe he or she is in  
100 imminent danger of becoming a victim of domestic violence.

101 (i) Petitioner alleges the following additional specific  
102 facts: ...(mark appropriate sections)...

103 ....A minor child or minor children reside with the  
104 petitioner whose names and ages are as follows:

105

106 ....Petitioner needs the exclusive use and possession of  
107 the dwelling that the parties share.

108 ....Petitioner is unable to obtain safe alternative housing  
109 because:

110

111 ....Petitioner genuinely fears that respondent imminently  
112 will abuse, remove, or hide the minor child or children from  
113 petitioner because:

114

115 (j) Petitioner genuinely fears imminent domestic violence  
116 by respondent.

117 (k) Petitioner seeks an injunction: ...(mark appropriate  
118 section or sections)...

119 ....Immediately restraining the respondent from committing  
120 any acts of domestic violence.

121 ....Restraining the respondent from committing any acts of  
122 domestic violence.

123 ....Awarding to the petitioner the temporary exclusive use  
124 and possession of the dwelling that the parties share or  
125 excluding the respondent from the residence of the petitioner.

126 ....Providing a temporary parenting plan, including a  
127 temporary time-sharing schedule, with regard to the minor child



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128 or children of the parties which might involve prohibiting or  
129 limiting time-sharing or requiring that it be supervised by a  
130 third party.

131 ....Establishing temporary support for the minor child or  
132 children or the petitioner.

133 ....Directing the respondent to participate in a batterers'  
134 intervention program.

135 ....Providing any terms the court deems necessary for the  
136 protection of a victim of domestic violence, or any minor  
137 children of the victim, including any injunctions or directives  
138 to law enforcement agencies.

139

140 ===== T I T L E A M E N D M E N T =====

141 And the title is amended as follows:

142 Delete line 13

143 and insert:

144 violence injunction is in imminent danger; conforming  
145 a provision to changes made by the act; providing