

By the Committee on Children, Families and Seniors and Senator Hargrett

300-1684A-98

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A bill to be entitled
An act relating to domestic violence; amending
s. 741.28, F.S.; providing that domestic
violence does not include disciplinary action
against a child unless the action is
excessively harsh or inappropriate as specified
in s. 415.503(9)(a)4., F.S; providing an
effective date.

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

Section 1. Subsection (1) of section 741.28, Florida
Statutes, is amended to read:

741.28 Domestic violence; definitions.--As used in ss.
741.28-741.31:

(1) "Domestic violence" means any assault, aggravated
assault, battery, aggravated battery, sexual assault, sexual
battery, stalking, aggravated stalking, kidnapping, false
imprisonment, or any criminal offense resulting in physical
injury or death of one family or household member by another
who is or was residing in the same single dwelling unit.
Domestic violence does not include disciplinary action or
corporal discipline to a child unless such action is
excessively harsh or inappropriate and results in harm to the
child, whether physical, mental, or emotional, as specified in
s. 415.503(9)(a)4.

Section 2. This act shall take effect July 1, 1998.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1308

- Deletes the modification of the definition of "domestic violence" and modifies the definition of "family or household member."