

Bill No. CS for SB 462

Amendment No.     

|    | <u>Senate</u>  | CHAMBER ACTION | <u>House</u> |
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| 11 | Senator Hargrett moved the following amendment:                      |                |              |
| 12 |  |                |              |
| 13 | <b>Senate Amendment (with title amendment)</b>                       |                |              |
| 14 | On page 5, between lines 18 and 19,                                  |                |              |
| 15 |  |                |              |
| 16 | insert:  |                |              |
| 17 | Section 5. Paragraph (j) is added to subsection (1) of               |                |              |
| 18 | section 741.30, Florida Statutes, to read:                           |                |              |
| 19 | 741.30 Domestic violence; injunction; powers and                     |                |              |
| 20 | duties of court and clerk; petition; notice and hearing;             |                |              |
| 21 | temporary injunction; issuance of injunction; statewide              |                |              |
| 22 | verification system; enforcement.--                                  |                |              |
| 23 | (1) There is created a cause of action for an                        |                |              |
| 24 | injunction for protection against domestic violence.                 |                |              |
| 25 | <u>(j) A child on his or her own or through a parent or</u>          |                |              |
| 26 | <u>legal guardian may not obtain an injunction for protection</u>    |                |              |
| 27 | <u>against domestic violence based on acts committed by a family</u> |                |              |
| 28 | <u>or household member against that child unless those acts are</u>  |                |              |
| 29 | <u>found by the court to constitute "harm" or "child abuse or</u>    |                |              |
| 30 | <u>neglect" as defined in s. 415.503. This paragraph does not</u>    |                |              |
| 31 | <u>apply to cases where the injunction for protection is granted</u> |                |              |

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1 to protect an adult petitioner who has included a child or  
2 children in that adult's petition for injunction for  
3 protection against domestic violence.

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5 (Redesignate subsequent sections.)

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

9 And the title is amended as follows:

10 On page 2, line 3, after the semicolon,

11

12 insert:

13 amending s. 741.30, F.S.; providing that a  
14 child may not obtain an injunction for  
15 protection against domestic violence based on  
16 acts committed by a family member unless such  
17 acts constitute harm or child abuse or neglect;

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