

1                                   A bill to be entitled  
2           An act relating to domestic violence; amending  
3           s. 784.046, F.S.; providing that the parent or  
4           legal guardian of a minor child living at home  
5           has standing in circuit court to petition for  
6           an injunction against repeat violence; creating  
7           s. 938.14, F.S.; providing for imposition of an  
8           additional mandatory court cost upon a person  
9           found to have committed an act of domestic  
10          violence; providing for waiver of the court  
11          cost; providing for collection by the clerk of  
12          the court; providing for deposit of such court  
13          costs in the Domestic Violence Trust Fund;  
14          providing for certain disbursements in  
15          accordance with specified provisions relating  
16          to funding of domestic violence centers;  
17          providing an effective date.

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

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21           Section 1. Paragraph (a) of subsection (2) and  
22          paragraph (a) of subsection (4) of section 784.046, Florida  
23          Statutes, are amended to read:

24           784.046 Action by victim of repeat violence for  
25          protective injunction; powers and duties of court and clerk of  
26          court; filing and form of petition; notice and hearing;  
27          temporary injunction; issuance; statewide verification system;  
28          enforcement.--

29           (2) There is created a cause of action for an  
30          injunction for protection in cases of repeat violence.

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1           (a) Any person who is the victim of repeat violence or  
2 the parent or legal guardian of any minor child who is living  
3 at home and who seeks an injunction for protection against  
4 repeat violence on behalf of the minor child has standing in  
5 the circuit court to file a sworn petition for an injunction  
6 for protection against repeat violence.

7           (4)(a) The sworn petition shall allege the incidents  
8 of repeat violence and shall include the specific facts and  
9 circumstances which form the basis upon which relief is  
10 sought. With respect to a minor child who is living at home,  
11 the parent or legal guardian of the minor child must have been  
12 an eye-witness to, or have direct physical evidence or  
13 affidavits from eye-witnesses of, the specific facts and  
14 circumstances which form the basis upon which relief is  
15 sought.

16           Section 2. Section 938.14, Florida Statutes, is  
17 created to read:

18           938.14 Additional court costs in domestic violence  
19 cases.--

20           (1) When a person pleads guilty or nolo contendere to,  
21 or is found guilty or convicted of, regardless of  
22 adjudication, an act of domestic violence as defined in s.  
23 741.28, there shall be imposed on the person as a cost in the  
24 case, in addition to any other cost or penalty required to be  
25 imposed by law, a court cost in the sum of \$36. This  
26 additional court cost shall be assessed against the person  
27 unless specifically waived by the court on the record.

28           (2) The clerk of the court shall collect the  
29 respective \$36 assessments for court costs provided for in  
30 this section and, on a monthly basis, transfer the moneys  
31 collected to the State Treasury for deposit in the designated

1 account of the Domestic Violence Trust Fund for disbursement  
2 in accordance with s. 741.01(2).

3 Section 3. This act shall take effect upon becoming a  
4 law.

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