

By Senator Campbell

32-212-04

1 A bill to be entitled
2 An act relating to protective injunctions;
3 amending s. 784.047, F.S.; increasing the
4 penalty for a violation of a protective
5 injunction against repeat violence, sexual
6 violence, dating violence, or domestic
7 violence; providing that it is a third-degree
8 felony to commit a crime against the property
9 of a petitioner or a protected person in
10 violation of a protective injunction; providing
11 an effective date.

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

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15 Section 1. Section 784.047, Florida Statutes, is
16 amended to read:

17 784.047 Penalties for violating protective injunction
18 against violators.--A person who willfully violates an
19 injunction for protection against domestic violence issued
20 pursuant to s. 741.30; an injunction for protection against
21 repeat violence, sexual violence, or dating violence, issued
22 pursuant to s. 784.046; ~~or~~ or a foreign protection order
23 accorded full faith and credit pursuant to s. 741.315 by:

24 (1) Refusing to vacate the dwelling that the parties
25 share;

26 (2) Going to the petitioner's residence, school, place
27 of employment, or a specified place frequented regularly by
28 the petitioner and any named family or household member;

29 (3) Committing an act of repeat violence or dating
30 violence against the petitioner;

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1 (4) Committing any other violation of the injunction
2 through an intentional unlawful threat, word, or act to do
3 violence to the petitioner; or

4 (5) Telephoning, contacting, or otherwise
5 communicating with the petitioner directly or indirectly,
6 unless the injunction specifically allows indirect contact
7 through a third party,[†]

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9 commits a felony ~~misdemeanor~~ of the second ~~first~~ degree,
10 punishable as provided in s. 775.082, or s. 775.083, or s.
11 775.084.

12 (6) Committing a crime against the property of the
13 petitioner or other protected person commits a felony of the
14 third degree, punishable as provided in s. 775.082, s.
15 775.083, or s. 775.084.

16 Section 2. This act shall take effect July 1, 2004.

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19 SENATE SUMMARY

20 Increases the penalty for a violation of a protective
21 injunction against repeat violence, sexual violence,
22 dating violence, or domestic violence from a first-degree
23 misdemeanor to a second-degree felony. Provides that it
24 is a third-degree felony to commit a crime against the
25 property of a petitioner or a protected person in
26 violation of a protective injunction.
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