

Bill No. CS for SB 348

Barcode 163006

CHAMBER ACTION

Senate

House

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Senator Crist moved the following amendment:

**Senate Amendment (with title amendment)**

On page 31, between lines 20 and 21,

insert:

Section 13. Paragraph (a) of subsection (2) and paragraph (a) of subsection (4) of section 784.046, Florida Statutes, are amended to read:

784.046 Action by victim of repeat violence, sexual violence, or dating violence for protective injunction; powers and duties of court and clerk of court; filing and form of petition; notice and hearing; temporary injunction; issuance; statewide verification system; enforcement.--

(2) There is created a cause of action for an injunction for protection in cases of repeat violence, there is created a separate cause of action for an injunction for protection in cases of dating violence, and there is created a separate cause of action for an injunction for protection in cases of sexual violence.

(a) Any person who is the victim of repeat violence or

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

10 (4)(a) The sworn petition shall allege the incidents  
 11 of repeat violence, sexual violence, or dating violence and  
 12 shall include the specific facts and circumstances that form  
 13 the basis upon which relief is sought. With respect to a minor  
 14 child who is living at home, the parent or legal guardian  
 15 seeking the protective injunction on behalf of the minor child  
 16 must:

17 1. Have been an eyewitness to, or have direct physical  
 18 evidence or affidavits from eyewitnesses of, the specific  
 19 facts and circumstances which form the basis upon which relief  
 20 is sought, if the party against whom the protective injunction  
 21 is sought is also a parent, stepparent, or legal guardian of  
 22 the minor child; or

23 2. Have reasonable cause to believe that the minor  
 24 child is a victim of repeat, sexual, or dating violence to  
 25 form the basis upon which relief is sought, if the party  
 26 against whom the protective injunction is sought is a person  
 27 other than a parent, stepparent, or legal guardian of the  
 28 minor child.

29  
 30 (Redesignate subsequent sections.)

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

2 And the title is amended as follows:

3       On page 1, line 2, delete that line

4

5 and insert:

6       An act relating to judicial proceedings;

7       amending s. 784.046, F.S.; providing standing

8       for a governmental employer to seek an

9       injunction for protection against repeat

10       violence on behalf of an employee; revising the

11       application of evidentiary requirements with

12       respect to injunctions for protection of minor

13       children;

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