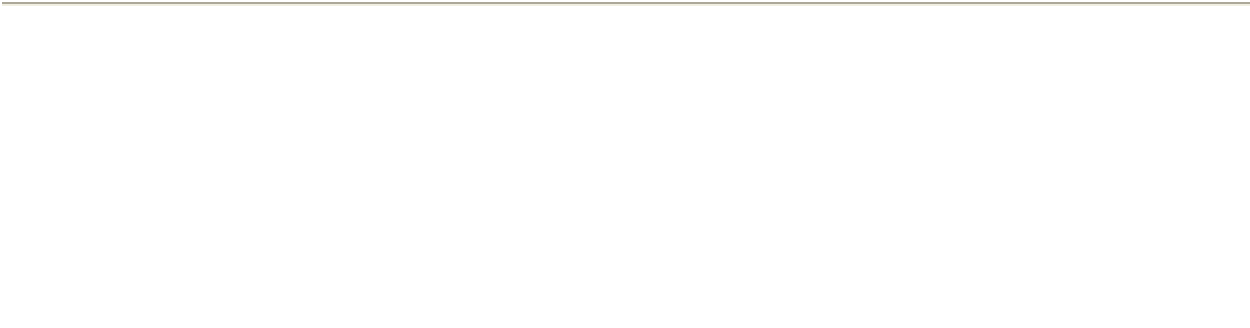Amendment No. (for drafter's use only)

CHAMBER ACTION

<u>Senate</u>   <u>House</u>

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1 | Representative Kottkamp offered the following:

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3 | **Amendment (with title amendment)**

4 | Remove everything after the enacting clause and insert:

5 | Section 1. Paragraph (a) of subsection (4) of section

6 | 784.046, Florida Statutes, is amended to read:

7 | 784.046 Action by victim of repeat violence, sexual

8 | violence, or dating violence for protective injunction; powers

9 | and duties of court and clerk of court; filing and form of

10 | petition; notice and hearing; temporary injunction; issuance;

11 | statewide verification system; enforcement.--

12 | (4)(a) The sworn petition shall allege the incidents of

13 | repeat violence, sexual violence, or dating violence and shall

14 | include the specific facts and circumstances that form the basis

15 | upon which relief is sought. With respect to a minor child who

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16 is living at home, the parent or legal guardian <u>seeking the</u>

17 <u>protective injunction on behalf</u> of the minor child must<u>:</u>

18 <u>1.</u> Have been an eyewitness to, or have direct physical

19 evidence or affidavits from eyewitnesses of, the specific facts

20 and circumstances <u>that</u> ~~which~~ form the basis upon which relief is

21 sought<u>, if the party against whom the protective injunction is</u>

22 <u>sought is also a parent, stepparent, or legal guardian of the</u>

23 <u>minor child; or</u>

24 <u>2. Have reasonable cause to believe that the minor child</u>

25 <u>is a victim of repeat, sexual, or dating violence to form the</u>

26 <u>basis upon which relief is sought, if the party against whom the</u>

27 <u>protective injunction is sought is a person other than a parent,</u>

28 <u>stepparent, or legal guardian of the minor child</u>.

29 Section 2. This act shall take effect upon becoming a law.

30

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

32 Remove the entire title and insert:

33

34   A bill to be entitled

35 An act relating to protective injunctions; amending s.

36 784.046, F.S.; limiting the application of an evidentiary

37 requirement with respect to injunctions for protection of

38 minor children; providing an effective date.

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