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An act relating to protective injunctions;
amending s. 784.046, F.S.; limiting the
application of an evidentiary requirement with
respect to injunctions for protection of minor
children; providing an effective date.

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

Section 1. Paragraph (a) of subsection (4) of section
784.046, Florida Statutes, is 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.--

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

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

2. Have reasonable cause to believe that the minor
child is a victim of repeat, sexual, or dating violence to

1 form the basis upon which relief is sought, if the party
2 against whom the protective injunction is sought is a person
3 other than a parent, stepparent, or legal guardian of the
4 minor child.

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

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