

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Criminal Justice Committee

BILL: SB 510

INTRODUCER: Senator Hill

SUBJECT: Injunctions for Protection Against Domestic, Repeat, Sexual & Dating Violence/Victim Notification

DATE: March 30, 2009      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Dugger	Cannon	CJ	<b>Favorable</b>
2.	_____	_____	JU	_____
3.	_____	_____	JA	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

The bill requires a sheriff to notify a petitioner, within 12 hours after the sheriff or other law enforcement officer has made service upon the respondent, that the respondent has been served with a protective injunction against domestic violence, repeat violence, dating violence, or sexual violence, if the petitioner has requested such notification and has registered a telephone number or e-mail address with the sheriff.

This bill amends sections 741.30 and 784.046 of the Florida Statutes.

**II. Present Situation:**

Section 741.30(8), F.S., requires notice of service of injunctions for protection against domestic violence as follows:

- within 24 hours after service of process of a domestic violence protective injunction upon a respondent, the law enforcement officer must forward the written proof of service of process to the sheriff with jurisdiction over the petitioner’s residence;
- within 24 hours after the sheriff receives a certified copy of the protective injunction, the sheriff must make information relating to the injunction available to other law enforcement agencies by electronically transmitting such information to the FDLE; and
- within 24 hours after the sheriff or other law enforcement officer makes service upon the respondent and the sheriff has been so notified, the sheriff must make such information

relating to the service available to other law enforcement agencies by electronically transmitting such information to the FDLE.

Section 784.046, F.S., requires the same notice of service as above, except it applies to injunctions for protection against repeat violence, sexual violence, or dating violence.

### **III. Effect of Proposed Changes:**

SB 510 requires a sheriff to notify a petitioner, within 12 hours after the sheriff or other law enforcement officer has made service upon the respondent (and the sheriff has been so notified), that the respondent has been served with a protective injunction against domestic violence, repeat violence, dating violence, or sexual violence, if the petitioner has requested such notification and has registered a telephone number or e-mail address with the sheriff. The notification is required to include the date, time, and location in which the protective injunction was served.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

#### **B. Private Sector Impact:**

None.

#### **C. Government Sector Impact:**

According to the Florida Sheriff's Association, this bill will most likely result in an increased workload on sheriff's offices during a time when many of these offices are experiencing a reduced workforce.

### **VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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