

By Senator Hill

1-00611-09

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1 A bill to be entitled
2 An act relating to injunctions for protection against
3 domestic violence, repeat violence, sexual violence,
4 or dating violence; amending ss. 741.30 and 784.046,
5 F.S.; requiring the sheriff or other law enforcement
6 officer who serves such an injunction upon a
7 respondent to notify the petitioner within a specified
8 period that the respondent has been served if the
9 petitioner has requested notification and has
10 registered a telephone number or e-mail address with
11 the sheriff; providing for the content of the notice;
12 providing an effective date.

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

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16 Section 1. Paragraph (c) of subsection (8) of section
17 741.30, Florida Statutes, is amended to read:

18 741.30 Domestic violence; injunction; powers and duties of
19 court and clerk; petition; notice and hearing; temporary
20 injunction; issuance of injunction; statewide verification
21 system; enforcement.—

22 (8)

23 (c)1. Within 24 hours after the court issues an injunction
24 for protection against domestic violence or changes, continues,
25 extends, or vacates an injunction for protection against
26 domestic violence, the clerk of the court must forward a
27 certified copy of the injunction for service to the sheriff with
28 jurisdiction over the residence of the petitioner. The
29 injunction must be served in accordance with this subsection.

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30 2. Within 24 hours after service of process of an
31 injunction for protection against domestic violence upon a
32 respondent, the law enforcement officer must forward the written
33 proof of service of process to the sheriff with jurisdiction
34 over the residence of the petitioner.

35 3. Within 24 hours after the sheriff receives a certified
36 copy of the injunction for protection against domestic violence,
37 the sheriff must make information relating to the injunction
38 available to other law enforcement agencies by electronically
39 transmitting such information to the department.

40 4. Within 24 hours after the sheriff or other law
41 enforcement officer has made service upon the respondent and the
42 sheriff has been so notified, the sheriff must make information
43 relating to the service available to other law enforcement
44 agencies by electronically transmitting such information to the
45 department.

46 5. If the petitioner has requested notification and has
47 registered a telephone number or e-mail address with the
48 sheriff, within 12 hours after the sheriff or other law
49 enforcement officer has made service upon the respondent and the
50 sheriff has been so notified, the sheriff shall notify the
51 petitioner that the respondent has been served with the
52 injunction for protection against domestic violence. The
53 notification must include the date, time, and location where the
54 injunction for protection against domestic violence was served.

55 ~~6.5.~~ Within 24 hours after an injunction for protection
56 against domestic violence is vacated, terminated, or otherwise
57 rendered no longer effective by ruling of the court, the clerk
58 of the court must notify the sheriff receiving original

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59 notification of the injunction as provided in subparagraph 2.
60 That agency shall, within 24 hours after receiving such
61 notification from the clerk of the court, notify the department
62 of such action of the court.

63 Section 2. Paragraph (c) of subsection (8) of section
64 784.046, Florida Statutes, is amended to read:

65 784.046 Action by victim of repeat violence, sexual
66 violence, or dating violence for protective injunction; dating
67 violence investigations, notice to victims, and reporting;
68 pretrial release violations.—

69 (8)

70 (c)1. Within 24 hours after the court issues an injunction
71 for protection against repeat violence, sexual violence, or
72 dating violence or changes or vacates an injunction for
73 protection against repeat violence, sexual violence, or dating
74 violence, the clerk of the court must forward a copy of the
75 injunction to the sheriff with jurisdiction over the residence
76 of the petitioner.

77 2. Within 24 hours after service of process of an
78 injunction for protection against repeat violence, sexual
79 violence, or dating violence upon a respondent, the law
80 enforcement officer must forward the written proof of service of
81 process to the sheriff with jurisdiction over the residence of
82 the petitioner.

83 3. Within 24 hours after the sheriff receives a certified
84 copy of the injunction for protection against repeat violence,
85 sexual violence, or dating violence, the sheriff must make
86 information relating to the injunction available to other law
87 enforcement agencies by electronically transmitting such

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88 information to the department.

89 4. Within 24 hours after the sheriff or other law
90 enforcement officer has made service upon the respondent and the
91 sheriff has been so notified, the sheriff must make information
92 relating to the service available to other law enforcement
93 agencies by electronically transmitting such information to the
94 department.

95 5. If the petitioner has requested notification and has
96 registered a telephone number or e-mail address with the
97 sheriff, within 12 hours after the sheriff or other law
98 enforcement officer has made service upon the respondent and the
99 sheriff has been so notified, the sheriff shall notify the
100 petitioner that the respondent has been served with the
101 injunction for protection against repeat violence, sexual
102 violence, or dating violence. The notification must include the
103 date, time, and location where the injunction for protection
104 against repeat violence, sexual violence, or dating violence was
105 served.

106 ~~6.5.~~ Within 24 hours after an injunction for protection
107 against repeat violence, sexual violence, or dating violence is
108 lifted, terminated, or otherwise rendered no longer effective by
109 ruling of the court, the clerk of the court must notify the
110 sheriff or local law enforcement agency receiving original
111 notification of the injunction as provided in subparagraph 2.
112 That agency shall, within 24 hours after receiving such
113 notification from the clerk of the court, notify the department
114 of such action of the court.

115 Section 3. This act shall take effect July 1, 2009.