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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2010	.	
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The Committee on Criminal Justice (Siplin) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

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

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

(8)

(c)1. Within 24 hours after the court issues an injunction



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13 for protection against domestic violence or changes, continues,  
14 extends, or vacates an injunction for protection against  
15 domestic violence, the clerk of the court must forward a  
16 certified copy of the injunction for service to the sheriff with  
17 jurisdiction over the residence of the petitioner. The  
18 injunction must be served in accordance with this subsection.

19 2. Within 24 hours after service of process of an  
20 injunction for protection against domestic violence upon a  
21 respondent, the law enforcement officer must forward the written  
22 proof of service of process to the sheriff with jurisdiction  
23 over the residence of the petitioner.

24 3. Within 24 hours after the sheriff receives a certified  
25 copy of the injunction for protection against domestic violence,  
26 the sheriff must make information relating to the injunction  
27 available to other law enforcement agencies by electronically  
28 transmitting such information to the department.

29 4. Within 24 hours after the sheriff or other law  
30 enforcement officer has made service upon the respondent and the  
31 sheriff has been so notified, the sheriff must make information  
32 relating to the service available to other law enforcement  
33 agencies by electronically transmitting such information to the  
34 department.

35 5. Subject to available funding, the Florida Association of  
36 Clerks of Courts shall develop an automated process by which a  
37 petitioner may request notification of service of the injunction  
38 for protection against domestic violence and other court actions  
39 related to the injunction against domestic violence. The  
40 automated notice shall be made within 12 hours after the sheriff  
41 or other law enforcement officer has made service upon the



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42 respondent. The notification must include, at a minimum, the  
43 date, time, and location where the injunction for protection  
44 against domestic violence was served.

45 ~~6.5.~~ Within 24 hours after an injunction for protection  
46 against domestic violence is vacated, terminated, or otherwise  
47 rendered no longer effective by ruling of the court, the clerk  
48 of the court must notify the sheriff receiving original  
49 notification of the injunction as provided in subparagraph 2.  
50 That agency shall, within 24 hours after receiving such  
51 notification from the clerk of the court, notify the department  
52 of such action of the court.

53 Section 2. Paragraph (c) of subsection (8) of section  
54 784.046, Florida Statutes, is amended to read:

55 784.046 Action by victim of repeat violence, sexual  
56 violence, or dating violence for protective injunction; dating  
57 violence investigations, notice to victims, and reporting;  
58 pretrial release violations.-

59 (8)

60 (c)1. Within 24 hours after the court issues an injunction  
61 for protection against repeat violence, sexual violence, or  
62 dating violence or changes or vacates an injunction for  
63 protection against repeat violence, sexual violence, or dating  
64 violence, the clerk of the court must forward a copy of the  
65 injunction to the sheriff with jurisdiction over the residence  
66 of the petitioner.

67 2. Within 24 hours after service of process of an  
68 injunction for protection against repeat violence, sexual  
69 violence, or dating violence upon a respondent, the law  
70 enforcement officer must forward the written proof of service of



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71 process to the sheriff with jurisdiction over the residence of  
72 the petitioner.

73 3. Within 24 hours after the sheriff receives a certified  
74 copy of the injunction for protection against repeat violence,  
75 sexual violence, or dating violence, the sheriff must make  
76 information relating to the injunction available to other law  
77 enforcement agencies by electronically transmitting such  
78 information to the department.

79 4. Within 24 hours after the sheriff or other law  
80 enforcement officer has made service upon the respondent and the  
81 sheriff has been so notified, the sheriff must make information  
82 relating to the service available to other law enforcement  
83 agencies by electronically transmitting such information to the  
84 department.

85 5. Subject to available funding, the Florida Association of  
86 Clerks of Courts shall develop an automated process by which a  
87 petitioner may request notification of service of the injunction  
88 for protection against repeat violence, sexual violence, or  
89 dating violence and other court actions related to the  
90 injunction against repeat violence, sexual violence, or dating  
91 violence. The automated notice shall be made within 12 hours  
92 after the sheriff or other law enforcement officer has made  
93 service upon the respondent. The notification must include, at a  
94 minimum, the date, time, and location where the injunction for  
95 protection against repeat violence, sexual violence, or dating  
96 violence was served.

97 ~~6.5~~ Within 24 hours after an injunction for protection  
98 against repeat violence, sexual violence, or dating violence is  
99 lifted, terminated, or otherwise rendered no longer effective by



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100 ruling of the court, the clerk of the court must notify the  
101 sheriff or local law enforcement agency receiving original  
102 notification of the injunction as provided in subparagraph 2.  
103 That agency shall, within 24 hours after receiving such  
104 notification from the clerk of the court, notify the department  
105 of such action of the court.

106 Section 3. This act shall take effect July 1, 2010.

107  
108 ===== T I T L E A M E N D M E N T =====

109 And the title is amended as follows:

110  
111 Delete everything before the enacting clause  
112 and insert:

113 A bill to be entitled  
114 An act relating to injunctions for protection against  
115 domestic violence, repeat violence, sexual violence,  
116 or dating violence; amending ss. 741.30 and 784.046,  
117 F.S.; subject to available funding, directing the  
118 Florida Association of Clerks of Courts to develop an  
119 automated process by which a petitioner may request  
120 notification of service of the injunction for  
121 protection; requiring that notice to the petitioner be  
122 given to the petitioner within a specified time;  
123 providing for the content of the notice; providing an  
124 effective date.