



503996

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/20/2014	.	
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The Committee on Criminal Justice (Dean) recommended the following:

**Senate Amendment to Amendment (863916)**

Delete lines 5 - 67

and insert:

Section 1. Paragraph (c) of subsection (5) of section 741.30, Florida Statutes, is amended, and paragraph (d) is added to that subsection, 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



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11 system; enforcement; public records exemption.-

12 (5)

13 (c) Any such ex parte temporary injunction is shall be  
14 effective for a fixed period not to exceed 15 days unless after  
15 a full hearing, a final injunction is issued on the same case.  
16 In that instance, the temporary injunction remains in full force  
17 and effect until the final injunction is served upon the  
18 respondent.

19 (d) A full hearing, as provided by this section, shall be  
20 set for a date no later than the date when the ex parte  
21 temporary injunction ceases to be effective. The court may grant  
22 a continuance of the hearing before or during a hearing for good  
23 cause shown by any party. The need to obtain service of process  
24 constitutes good cause. A temporary, which shall include a  
25 continuance to obtain service of process. Any injunction that is  
26 already served must shall be extended, if necessary, so that it  
27 remains to remain in full force and effect during any period of  
28 continuance.

29 Section 2. Paragraph (c) of subsection (6) of section  
30 784.046, Florida Statutes, is amended, and paragraph (d) is  
31 added to that subsection, to read:

32 784.046 Action by victim of repeat violence, sexual  
33 violence, or dating violence for protective injunction; dating  
34 violence investigations, notice to victims, and reporting;  
35 pretrial release violations; public records exemption.-

36 (6)

37 (c) Any such ex parte temporary injunction is shall be  
38 effective for a fixed period not to exceed 15 days, and-  
39 ~~However,~~ an ex parte temporary injunction granted under



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40 subparagraph (2)(c)2. is effective for 15 days following the  
41 date the respondent is released from incarceration unless after  
42 a full hearing, a final injunction is issued on the same case.  
43 In that instance, the temporary injunction remains in full force  
44 and effect until the final injunction is served upon the  
45 respondent.

46 (d) A full hearing, as provided by this section, shall be  
47 set for a date no later than the date when the ex parte  
48 temporary injunction ceases to be effective. The court may grant  
49 a continuance of the ~~ex parte injunction and the full hearing~~  
50 before or during the a hearing, for good cause shown by any  
51 party. The need to obtain service of process constitutes good  
52 cause. A temporary injunction that is already served must be  
53 extended, if necessary, so that it remains in full force and  
54 effect during any period of continuance.

55 Section 3. Paragraph (c) of subsection (5) of section  
56 784.0485, Florida Statutes, is amended, and paragraph (d) is  
57 added to that subsection, to read:

58 784.0485 Stalking; injunction; powers and duties of court  
59 and clerk; petition; notice and hearing; temporary injunction;  
60 issuance of injunction; statewide verification system;  
61 enforcement.-

62 (5)

63 (c) Any such ex parte temporary injunction is effective for  
64 a fixed period not to exceed 15 days unless after a full  
65 hearing, a final injunction is issued on the same case. In that  
66 instance, the temporary injunction remains in full force and  
67 effect until the final injunction is served upon the respondent.

68 (d) A full hearing, as provided in this section, shall be



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69 set for a date no later than the date when the ex parte  
70 temporary injunction ceases to be effective. The court may grant  
71 a continuance of the hearing before or during the ~~a~~ hearing for  
72 good cause shown by any party. The need to obtain service of  
73 process constitutes good cause. A temporary, which shall include  
74 ~~a continuance to obtain service of process. An~~ injunction that  
75 is already served must shall be extended, if necessary, so that  
76 it remains ~~to remain~~ in full force and effect during any period  
77 of continuance.