

By Senator Garcia

38-00470-15

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1                   A bill to be entitled  
2       An act relating to domestic violence organizations;  
3       amending s. 39.901, F.S.; revising legislative intent;  
4       amending s. 39.902, F.S.; providing definitions;  
5       amending s. 39.903, F.S.; specifying duties of the  
6       Department of Children and Families with respect to  
7       domestic violence advocacy organizations; authorizing  
8       rulemaking; amending s. 39.9035, F.S.; specifying  
9       duties of the Florida Coalition Against Domestic  
10      Violence with respect to domestic violence advocacy  
11      organizations; creating s. 39.9051, F.S.; requiring  
12      that certified domestic violence advocacy  
13      organizations meet specified requirements; providing  
14      consequences for failure to meet requirements;  
15      requiring organizations to establish procedures for  
16      persons to voluntarily seek their services; amending  
17      s. 39.906, F.S.; requiring law enforcement officers to  
18      make referrals to certified domestic violence advocacy  
19      organizations in specified circumstances; providing an  
20      effective date.

21  
22 Be It Enacted by the Legislature of the State of Florida:

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24       Section 1. Section 39.901, Florida Statutes, is amended to  
25       read:

26       39.901 Domestic violence cases; treatment and  
27       rehabilitation of victims and perpetrators; legislative intent.-  
28       The Legislature recognizes that certain persons who assault,  
29       batter, or otherwise abuse their spouses and the persons subject

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30 to such domestic violence are in need of treatment and  
31 rehabilitation. It is the intent of the Legislature to assist in  
32 the development of domestic violence centers and domestic  
33 violence advocacy organizations for the victims of domestic  
34 violence and to provide a place where the parties involved may  
35 be separated until they can be properly assisted.

36 Section 2. Subsections (3) and (4) of section 39.902,  
37 Florida Statutes, are renumbered as subsections (5) and (6),  
38 respectively, and new subsections (3) and (4) are added to that  
39 section, to read:

40 39.902 Definitions.—As used in this part, the term:

41 (3) "Domestic violence advocacy organization" means an  
42 organization that provides services to victims of domestic  
43 violence as its primary mission but does not provide a facility  
44 under s. 39.905(1)(a).

45 (4) "Domestic violence referral service" means an  
46 organization that provides referral services to victims of  
47 domestic violence but does not provide a facility under s.  
48 39.05(1)(a).

49 Section 3. Subsections (2), (3), (4), and (9) of section  
50 39.903, Florida Statutes, are amended to read:

51 39.903 Duties and functions of the department with respect  
52 to domestic violence.—The department shall:

53 (2) Receive and approve or reject applications for initial  
54 certification of domestic violence centers and domestic violence  
55 advocacy organizations. The department shall annually renew the  
56 certification thereafter upon receipt of a favorable monitoring  
57 report by the coalition.

58 (3) Have the right to enter and inspect the premises of

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59 domestic violence centers and domestic violence advocacy  
60 organizations that are applying for an initial certification or  
61 facing potential suspension or revocation of certification to  
62 effectively evaluate the state of compliance with minimum  
63 standards.

64 (4) Promote the involvement of certified domestic violence  
65 centers and domestic violence advocacy organizations in the  
66 coordination, development, and planning of domestic violence  
67 programming in the circuits.

68 (9) Adopt by rule procedures to administer this section,  
69 including developing criteria for the approval, suspension, or  
70 rejection of certification of domestic violence centers and  
71 domestic violence advocacy organizations and developing minimum  
72 standards for domestic violence centers to ensure the health and  
73 safety of the clients in the centers.

74 Section 4. Subsections (1), (3), and (4) of section  
75 39.9035, Florida Statutes, are amended to read:

76 39.9035 Duties and functions of the coalition with respect  
77 to domestic violence.—As part of its delivery and management of  
78 the delivery of services for the state's domestic violence  
79 program, the coalition shall:

80 (1) Implement, administer, and evaluate all domestic  
81 violence services provided by ~~the~~ certified domestic violence  
82 centers and domestic violence advocacy organizations.

83 (3) Evaluate certified domestic violence centers and  
84 domestic violence advocacy organizations in order to determine  
85 compliance with minimum certification standards.

86 (4) Have the right to enter and inspect the premises of  
87 certified domestic violence centers and domestic violence

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88 advocacy organizations for monitoring purposes.

89 Section 5. Section 39.9051, Florida Statutes, is created to  
90 read:

91 39.9051 Domestic violence advocacy organizations.-

92 (1) In order to be certified under this part, a domestic  
93 violence advocacy organization must comply with s. 39.905(1)(b)-  
94 (g).

95 (2) If the department finds that a domestic violence  
96 advocacy organization certified under this part has failed to  
97 comply with the requirements for such an organization under this  
98 part or with the rules adopted pursuant thereto, the department  
99 may deny, suspend, or revoke the certification of the  
100 organization.

101 (3) A domestic violence advocacy organization certified  
102 under this part shall establish procedures for a person subject  
103 to domestic violence to voluntarily seek services from the  
104 organization.

105 Section 6. Section 39.906, Florida Statutes, is amended to  
106 read:

107 39.906 Referrals ~~Referral to centers~~ and notice of rights.-  
108 Any law enforcement officer who investigates an alleged incident  
109 of domestic violence shall advise the victim of such violence of  
110 ~~that there is a domestic violence~~ centers, center certified  
111 domestic violence advocacy organizations, and domestic violence  
112 referral services from which the victim may receive services.  
113 The law enforcement officer shall give the victim immediate  
114 notice of the legal rights and remedies available in accordance  
115 with ~~the provisions of~~ s. 741.29.

116 Section 7. This act shall take effect July 1, 2015.