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1	A bill to be entitled
2	An act relating to representation by counsel in
3	hearings on petitions for risk protection orders;
4	amending s. 790.401, F.S.; providing that a respondent
5	may be represented by counsel; providing for
6	appointment of counsel for an indigent respondent;
7	providing an effective date.
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9	Be It Enacted by the Legislature of the State of Florida:
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11	Section 1. Paragraph (a) of subsection (3) of section
12	790.401, Florida Statutes, is amended to read:
13	790.401 Risk protection orders
14	(3) RISK PROTECTION ORDER HEARINGS AND ISSUANCE
15	(a) Upon receipt of a petition, the court must order a
16	hearing to be held no later than 14 days after the date of the
17	order and must issue a notice of hearing to the respondent for
18	the same.
19	1. The clerk of the court shall cause a copy of the notice
20	of hearing and petition to be forwarded on or before the next
21	business day to the appropriate law enforcement agency for
22	service upon the respondent as provided in subsection (5).
23	2. The court may, as provided in subsection (4), issue a
24	temporary ex parte risk protection order pending the hearing
25	ordered under this subsection. Such temporary ex parte order
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26 must be served concurrently with the notice of hearing and 27 petition as provided in subsection (5). 28 3. The court may conduct a hearing by telephone pursuant 29 to a local court rule to reasonably accommodate a disability or 30 exceptional circumstances. The court must receive assurances of 31 the petitioner's identity before conducting a telephonic 32 hearing. 33 4. The respondent may be represented by counsel. If the 34 respondent is indigent and desires representation, counsel shall 35 be appointed as provided in s. 27.40. Section 2. This act shall take effect July 1, 2024.

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