

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Cassel offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. This act may be cited as the "Cassie Carli  
6 Law."

7 Section 2. Paragraph (b) of subsection (2) of section  
8 61.13, Florida Statutes, is amended to read:

9 61.13 Support of children; parenting and time-sharing;  
10 powers of court.-

11 (2)

12 (b) A parenting plan approved by the court must, at a  
13 minimum, do all of the following:

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14 1. Describe in adequate detail how the parents will share  
15 and be responsible for the daily tasks associated with the  
16 upbringing of the child.~~†~~

17 2. Include the time-sharing schedule arrangements that  
18 specify the time that the minor child will spend with each  
19 parent.~~†~~

20 3. Designate who will be responsible for:

21 a. Any and all forms of health care. If the court orders  
22 shared parental responsibility over health care decisions,  
23 either parent may consent to mental health treatment for the  
24 child unless stated otherwise in the parenting plan.

25 b. School-related matters, including the address to be  
26 used for school-boundary determination and registration.

27 c. Other activities.~~†~~ ~~and~~

28 4. Describe in adequate detail the methods and  
29 technologies that the parents will use to communicate with the  
30 child.

31 5. Unless otherwise agreed to by both parents in writing,  
32 designate authorized locations for the exchange of the child.  
33 The court may require the parents to exchange the child at a  
34 neutral safe exchange location as provided in s. 125.01(8) or a  
35 location authorized by a supervised visitation program as  
36 defined in s. 753.01 if the court finds that there is a risk or  
37 an imminent threat of harm to one party or the child during the  
38 exchange of the child, that such requirement is necessary to

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39 ensure the safety of a parent or the child, and that it is in  
40 the best interests of the child after consideration of all of  
41 the factors listed in subsection (3).

42 Section 3. Section 61.455, Florida Statutes, is created to  
43 read:

44 61.455 Court-ordered parenting plan; neutral safe exchange  
45 location or a location authorized by a supervised visitation  
46 program.—In any proceeding in which the court enters a parenting  
47 plan and time-sharing schedule, including in a modification  
48 proceeding, if the court finds that there is a risk or an  
49 imminent threat of harm to one party or a child during the  
50 exchange of the child and that it is in the best interests of  
51 the child after consideration of all of the factors specified in  
52 s. 61.13(3), the court may require the parties to exchange  
53 custody of the child at a neutral safe exchange location as  
54 provided in s. 125.01(8) or a location authorized by a  
55 supervised visitation program as defined in s. 753.01.

56 Section 4. Subsection (8) is added to section 125.01,  
57 Florida Statutes, to read:

58 125.01 Powers and duties.—

59 (8) (a) Each sheriff shall designate at least one parking  
60 lot at the sheriff's office, or a substation thereof, as a  
61 neutral safe exchange location at which parents who exercise  
62 time-sharing pursuant to a parenting plan or time-sharing  
63 schedule may meet to exchange the minor child.

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64 (b) Each parking lot designated as a neutral safe exchange  
65 location must have a purple light or a sign on the parking lot  
66 premises to clearly identify the designated area as a neutral  
67 safe exchange location. The neutral safe exchange location must:

68 1. Be accessible 24 hours a day, 7 days a week;  
69 2. Provide adequate lighting and an external video  
70 surveillance system that records continuously, 24 hours a day, 7  
71 days a week; and

72 3. Provide at least one camera that is fixed on the  
73 parking lot, is able to record the area in the vicinity of the  
74 purple light or sign during both day and night, records images  
75 that clearly and accurately display the time and date, and  
76 retains video surveillance recordings or images for at least 45  
77 days.

78 (c) A county, a sheriff, a law enforcement officer, or an  
79 employee of the designated safe exchange location is not liable  
80 for civil damages for any act or omission relating to an  
81 incident arising out of a meeting to exchange a minor child at a  
82 safe exchange location pursuant to this subsection.

83 Section 5. Paragraph (b) of subsection (3), paragraph (a)  
84 of subsection (5), and paragraphs (a) and (c) of subsection (6)  
85 of section 741.30, Florida Statutes, are amended to read:

86 741.30 Domestic violence; injunction; powers and duties of  
87 court and clerk; petition; notice and hearing; temporary

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88 injunction; issuance of injunction; statewide verification  
89 system; enforcement; public records exemption.-

90 (3)

91 (b) The sworn petition shall be in substantially the  
92 following form:

93 PETITION FOR  
94 INJUNCTION FOR PROTECTION  
95 AGAINST DOMESTIC VIOLENCE

96 Before me, the undersigned authority, personally appeared  
97 Petitioner ...(Name)..., who has been sworn and says that the  
98 following statements are true:

99 (a) Petitioner resides at: ...(address)...

100 (Petitioner may furnish address to the court in a separate  
101 confidential filing if, for safety reasons, the petitioner  
102 requires the location of the current residence to be  
103 confidential.)

104 (b) Respondent resides at: ...(last known address)...

105 (c) Respondent's last known place of employment: ...(name  
106 of business and address)...

107 (d) Physical description of respondent:.....

108 Race.....

109 Sex.....

110 Date of birth.....

111 Height.....

112 Weight.....

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113 Eye color.....

114 Hair color.....

115 Distinguishing marks or scars.....

116 (e) Aliases of respondent: .....

117 (f) Respondent is the spouse or former spouse of the

118 petitioner or is any other person related by blood or marriage

119 to the petitioner or is any other person who is or was residing

120 within a single dwelling unit with the petitioner, as if a

121 family, or is a person with whom the petitioner has a child in

122 common, regardless of whether the petitioner and respondent are

123 or were married or residing together, as if a family.

124 (g) The following describes any other cause of action

125 currently pending between the petitioner and respondent: .....

126

127 The petitioner should also describe any previous or pending

128 attempts by the petitioner to obtain an injunction for

129 protection against domestic violence in this or any other

130 circuit, and the results of that attempt:.....

131

132 Case numbers should be included if available.

133 (h) Petitioner is either a victim of domestic violence or

134 has reasonable cause to believe he or she is in imminent danger

135 of becoming a victim of domestic violence because respondent

136 has: ...(mark all sections that apply and describe in the spaces

137 below the incidents of violence or threats of violence,

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138 specifying when and where they occurred, including, but not  
139 limited to, locations such as a home, school, place of  
140 employment, or visitation exchange)...

141 .....  
142 .....

143 ....committed or threatened to commit domestic violence  
144 defined in s. 741.28, Florida Statutes, as any assault,  
145 aggravated assault, battery, aggravated battery, sexual assault,  
146 sexual battery, stalking, aggravated stalking, kidnapping, false  
147 imprisonment, or any criminal offense resulting in physical  
148 injury or death of one family or household member by another.

149 With the exception of persons who are parents of a child in  
150 common, the family or household members must be currently  
151 residing or have in the past resided together in the same single  
152 dwelling unit.

153 ....previously threatened, harassed, stalked, or physically  
154 abused the petitioner.

155 ....attempted to harm the petitioner or family members or  
156 individuals closely associated with the petitioner.

157 ....threatened to conceal, kidnap, or harm the petitioner's  
158 child or children.

159 ....intentionally injured or killed a family pet.

160 ....used, or has threatened to use, against the petitioner  
161 any weapons such as guns or knives.

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162           ....physically restrained the petitioner from leaving the  
163 home or calling law enforcement.

164           ....a criminal history involving violence or the threat of  
165 violence (if known).

166           ....another order of protection issued against him or her  
167 previously or from another jurisdiction (if known).

168           ....destroyed personal property, including, but not limited  
169 to, telephones or other communication equipment, clothing, or  
170 other items belonging to the petitioner.

171           ....engaged in a pattern of abusive, threatening,  
172 intimidating, or controlling behavior composed of a series of  
173 acts over a period of time, however short.

174           ....engaged in any other behavior or conduct that leads the  
175 petitioner to have reasonable cause to believe he or she is in  
176 imminent danger of becoming a victim of domestic violence.

177           (i) Petitioner alleges the following additional specific  
178 facts: ...(mark appropriate sections)...

179           ....A minor child or minor children reside with the  
180 petitioner whose names and ages are as follows:.....

181  
182           ....Petitioner needs the exclusive use and possession of  
183 the dwelling that the parties share.

184           ....Petitioner is unable to obtain safe alternative housing  
185 because: .....

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187       ....Petitioner genuinely fears that respondent imminently  
188 will abuse, remove, or hide the minor child or children from  
189 petitioner because:.....

191       (j) Petitioner genuinely fears imminent domestic violence  
192 by respondent.

193       (k) Petitioner seeks an injunction: ...(mark appropriate  
194 section or sections)...

195       ....Immediately restraining the respondent from committing  
196 any acts of domestic violence.

197       ....Restraining the respondent from committing any acts of  
198 domestic violence.

199       ....Awarding to the petitioner the temporary exclusive use  
200 and possession of the dwelling that the parties share or  
201 excluding the respondent from the residence of the petitioner.

202       ....Providing a temporary parenting plan, including a  
203 temporary time-sharing schedule, with regard to the minor child  
204 or children of the parties which might involve prohibiting or  
205 limiting time-sharing or requiring that it be supervised by a  
206 third party.

207       ....Designating that the exchange of the minor child or  
208 children of the parties must occur at a neutral safe exchange  
209 location as provided in s. 125.01(8) or a location authorized by  
210 a supervised visitation program as defined in s. 753.01 if

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211 temporary time-sharing of the child is awarded to the  
212 respondent.

213       ....Establishing temporary support for the minor child or  
214 children or the petitioner.

215       ....Directing the respondent to participate in a batterers'  
216 intervention program.

217       ....Providing any terms the court deems necessary for the  
218 protection of a victim of domestic violence, or any minor  
219 children of the victim, including any injunctions or directives  
220 to law enforcement agencies.

221       (5) (a) If it appears to the court that an immediate and  
222 present danger of domestic violence exists, the court may grant  
223 a temporary injunction ex parte, pending a full hearing, and may  
224 grant such relief as the court deems proper, including an  
225 injunction:

226           1. Restraining the respondent from committing any acts of  
227 domestic violence.

228           2. Awarding to the petitioner the temporary exclusive use  
229 and possession of the dwelling that the parties share or  
230 excluding the respondent from the residence of the petitioner.

231           3. On the same basis as provided in s. 61.13, providing  
232 the petitioner a temporary parenting plan, including a time-  
233 sharing schedule, which may award the petitioner up to 100  
234 percent of the time-sharing. If temporary time-sharing is  
235 awarded to the respondent, the exchange of the child must occur

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236 at a neutral safe exchange location as provided in s. 125.01(8)  
237 or a location authorized by a supervised visitation program as  
238 defined in s. 753.01 if the court determines it is in the best  
239 interests of the child after consideration of all of the factors  
240 specified in s. 61.13(3). The temporary parenting plan remains  
241 in effect until the order expires or an order is entered by a  
242 court of competent jurisdiction in a pending or subsequent civil  
243 action or proceeding affecting the placement of, access to,  
244 parental time with, adoption of, or parental rights and  
245 responsibilities for the minor child.

246 4. If the petitioner and respondent have an existing  
247 parenting plan or time-sharing schedule under another court  
248 order, designating that the exchange of the minor child or  
249 children of the parties must occur at a neutral safe exchange  
250 location as provided in s. 125.01(8) or a location authorized by  
251 a supervised visitation program as defined in s. 753.01 if the  
252 court determines it is in the best interests of the child after  
253 consideration of all of the factors specified in s. 61.13(3).

254 ~~5.4.~~ Awarding to the petitioner the temporary exclusive  
255 care, possession, or control of an animal that is owned,  
256 possessed, harbored, kept, or held by the petitioner, the  
257 respondent, or a minor child residing in the residence or  
258 household of the petitioner or respondent. The court may order  
259 the respondent to temporarily have no contact with the animal  
260 and prohibit the respondent from taking, transferring,

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261 encumbering, concealing, harming, or otherwise disposing of the  
262 animal. This subparagraph does not apply to an animal owned  
263 primarily for a bona fide agricultural purpose, as defined under  
264 s. 193.461, or to a service animal, as defined under s. 413.08,  
265 if the respondent is the service animal's handler.

266 (6) (a) Upon notice and hearing, when it appears to the  
267 court that the petitioner is either the victim of domestic  
268 violence as defined by s. 741.28 or has reasonable cause to  
269 believe he or she is in imminent danger of becoming a victim of  
270 domestic violence, the court may grant such relief as the court  
271 deems proper, including an injunction:

272 1. Restraining the respondent from committing any acts of  
273 domestic violence.

274 2. Awarding to the petitioner the exclusive use and  
275 possession of the dwelling that the parties share or excluding  
276 the respondent from the residence of the petitioner.

277 3. On the same basis as provided in chapter 61, providing  
278 the petitioner with 100 percent of the time-sharing in a  
279 temporary parenting plan that remains in effect until the order  
280 expires or an order is entered by a court of competent  
281 jurisdiction in a pending or subsequent civil action or  
282 proceeding affecting the placement of, access to, parental time  
283 with, adoption of, or parental rights and responsibilities for  
284 the minor child.

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285 4. If the petitioner and respondent have an existing  
286 parenting plan or time-sharing schedule under another court  
287 order, designating that the exchange of the minor child or  
288 children of the parties must occur at a neutral safe exchange  
289 location as provided in s. 125.01(8) or a location authorized by  
290 a supervised visitation program as defined in s. 753.01 if the  
291 court determines it is in the best interests of the child after  
292 consideration of all of the factors specified in s. 61.13(3).

293 ~~5.4.~~ On the same basis as provided in chapter 61,  
294 establishing temporary support for a minor child or children or  
295 the petitioner. An order of temporary support remains in effect  
296 until the order expires or an order is entered by a court of  
297 competent jurisdiction in a pending or subsequent civil action  
298 or proceeding affecting child support.

299 ~~6.5.~~ Ordering the respondent to participate in treatment,  
300 intervention, or counseling services to be paid for by the  
301 respondent. When the court orders the respondent to participate  
302 in a batterers' intervention program, the court, or any entity  
303 designated by the court, must provide the respondent with a list  
304 of batterers' intervention programs from which the respondent  
305 must choose a program in which to participate.

306 ~~7.6.~~ Referring a petitioner to a certified domestic  
307 violence center. The court must provide the petitioner with a  
308 list of certified domestic violence centers in the circuit which  
309 the petitioner may contact.

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310 ~~8.7.~~ Awarding to the petitioner the exclusive care,  
311 possession, or control of an animal that is owned, possessed,  
312 harbored, kept, or held by the petitioner, the respondent, or a  
313 minor child residing in the residence or household of the  
314 petitioner or respondent. The court may order the respondent to  
315 have no contact with the animal and prohibit the respondent from  
316 taking, transferring, encumbering, concealing, harming, or  
317 otherwise disposing of the animal. This subparagraph does not  
318 apply to an animal owned primarily for a bona fide agricultural  
319 purpose, as defined under s. 193.461, or to a service animal, as  
320 defined under s. 413.08, if the respondent is the service  
321 animal's handler.

322 ~~9.8.~~ Ordering such other relief as the court deems  
323 necessary for the protection of a victim of domestic violence,  
324 including injunctions or directives to law enforcement agencies,  
325 as provided in this section.

326 (c) The terms of an injunction restraining the respondent  
327 under subparagraph (a)1. or ordering other relief for the  
328 protection of the victim under subparagraph (a)9. ~~(a)8.~~ shall  
329 remain in effect until modified or dissolved. Either party may  
330 move at any time to modify or dissolve the injunction. No  
331 specific allegations are required. Such relief may be granted in  
332 addition to other civil or criminal remedies.

333 Section 6. This act shall take effect July 1, 2024.  
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**T I T L E   A M E N D M E N T**

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to the safe exchange of minor children; providing a short title; amending s. 61.13, F.S.; providing requirements for a parenting plan relating to the exchange of a child; creating s. 61.455, F.S.; requiring the court to order the parties in a parenting plan to exchange their child at a neutral safe exchange location or location authorized by a supervised visitation program under certain circumstances; amending s. 125.01, F.S.; requiring sheriffs to designate certain areas as neutral safe exchange locations; providing requirements for such areas; providing immunity from civil liability; amending s. 741.30, F.S.; revising the form for an injunction for protection against domestic violence; requiring court-ordered injunctions for protection against domestic violence to designate certain locations for the exchange of a child of the parties under certain circumstances; providing an effective date.

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