

26 | 61.13, Florida Statutes, is amended to read:

27 | 61.13 Support of children; parenting and time-sharing;
28 | powers of court.—

29 | (2)

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

32 | 1. Describe in adequate detail how the parents will share
33 | and be responsible for the daily tasks associated with the
34 | upbringing of the child.~~;~~

35 | 2. Include the time-sharing schedule arrangements that
36 | specify the time that the ~~minor~~ child will spend with each
37 | parent.~~;~~

38 | 3. Designate who will be responsible for:

39 | a. Any and all forms of health care. If the court orders
40 | shared parental responsibility over health care decisions,
41 | either parent may consent to mental health treatment for the
42 | child unless stated otherwise in the parenting plan.

43 | b. School-related matters, including the address to be
44 | used for school-boundary determination and registration.

45 | c. Other activities.~~;~~~~and~~

46 | 4. Describe in adequate detail the methods and
47 | technologies that the parents will use to communicate with the
48 | child.

49 | 5. Unless otherwise agreed to by both parents in writing,
50 | designate authorized locations for the exchange of the child.

51 The court may require the parents to exchange the child at a
52 neutral safe exchange location as provided in s. 125.01(8) or a
53 supervised visitation program as defined in s. 753.01 if, upon
54 the presentation of competent substantial evidence that there is
55 a risk or an imminent threat of harm to one party or the child
56 during the exchange of the child, the court finds that such
57 requirement is necessary to ensure the safety of a parent or the
58 child and that it is in the best interests of the child after
59 consideration of all of the factors listed in subsection (3).

60 Section 3. Section 61.455, Florida Statutes, is created to
61 read:

62 61.455 Court-ordered parenting plan; neutral safe exchange
63 location or supervised visitation program.—In any proceeding in
64 which the court enters a parenting plan and time-sharing
65 schedule, including in a modification proceeding, upon the
66 presentation of competent substantial evidence that there is a
67 risk or an imminent threat of harm to one party or a child
68 during the exchange of the child and that it is in the best
69 interests of the child after consideration of all of the factors
70 in s. 61.13(3), the court may require the parties to exchange
71 custody of the child at a neutral safe exchange location as
72 provided in s. 125.01(8) or a supervised visitation program as
73 defined in s. 753.01. Competent substantial evidence includes,
74 but is not limited to, a court-ordered injunction for protection
75 under s. 741.30, s. 784.046, or s. 784.0485.

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

78 125.01 Powers and duties.—

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

84 (b) Each parking lot designated as a neutral safe exchange
 85 location must have a purple light or a sign on the parking lot
 86 premises to clearly identify the designated area as a neutral
 87 safe exchange location. The neutral safe exchange location must:

88 1. Be accessible 24 hours a day, 7 days a week.

89 2. Provide adequate lighting and an external video
 90 surveillance system that records continuously, 24 hours a day, 7
 91 days a week.

92 3. Provide at least one camera that is fixed on the
 93 parking lot, is able to record the area in the vicinity of the
 94 purple light or sign during both day and night, records images
 95 that clearly and accurately display the time and date, and
 96 retains video surveillance recordings or images for at least 45
 97 days.

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

101 741.30 Domestic violence; injunction; powers and duties of
102 court and clerk; petition; notice and hearing; temporary
103 injunction; issuance of injunction; statewide verification
104 system; enforcement; public records exemption.-

105 (3)

106 (b) The sworn petition shall be in substantially the
107 following form:

108 PETITION FOR
109 INJUNCTION FOR PROTECTION
110 AGAINST DOMESTIC VIOLENCE

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

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

115 (Petitioner may furnish address to the court in a separate
116 confidential filing if, for safety reasons, the petitioner
117 requires the location of the current residence to be
118 confidential.)

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

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

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

123 Race.....

124 Sex.....

125 Date of birth.....

126 Height.....

127 Weight.....

128 Eye color.....

129 Hair color.....

130 Distinguishing marks or scars.....

131 (e) Aliases of respondent:

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

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

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

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

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

137 common, regardless of whether the petitioner and respondent are

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

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

140 currently pending between the petitioner and respondent:

141

142 The petitioner should also describe any previous or pending

143 attempts by the petitioner to obtain an injunction for

144 protection against domestic violence in this or any other

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

146

147 Case numbers should be included if available.

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

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

150 of becoming a victim of domestic violence because respondent

151 | has: ...(mark all sections that apply and describe in the spaces
 152 | below the incidents of violence or threats of violence,
 153 | specifying when and where they occurred, including, but not
 154 | limited to, locations such as a home, school, place of
 155 | employment, or visitation exchange)...

156 |
 157 |

158 |committed or threatened to commit domestic violence
 159 | defined in s. 741.28, Florida Statutes, as any assault,
 160 | aggravated assault, battery, aggravated battery, sexual assault,
 161 | sexual battery, stalking, aggravated stalking, kidnapping, false
 162 | imprisonment, or any criminal offense resulting in physical
 163 | injury or death of one family or household member by another.
 164 | With the exception of persons who are parents of a child in
 165 | common, the family or household members must be currently
 166 | residing or have in the past resided together in the same single
 167 | dwelling unit.

168 |previously threatened, harassed, stalked, or physically
 169 | abused the petitioner.

170 |attempted to harm the petitioner or family members or
 171 | individuals closely associated with the petitioner.

172 |threatened to conceal, kidnap, or harm the petitioner's
 173 | child or children.

174 |intentionally injured or killed a family pet.

175 |used, or has threatened to use, against the petitioner

176 any weapons such as guns or knives.

177physically restrained the petitioner from leaving the
178 home or calling law enforcement.

179a criminal history involving violence or the threat of
180 violence (if known).

181another order of protection issued against him or her
182 previously or from another jurisdiction (if known).

183destroyed personal property, including, but not limited
184 to, telephones or other communication equipment, clothing, or
185 other items belonging to the petitioner.

186engaged in a pattern of abusive, threatening,
187 intimidating, or controlling behavior composed of a series of
188 acts over a period of time, however short.

189engaged in any other behavior or conduct that leads the
190 petitioner to have reasonable cause to believe he or she is in
191 imminent danger of becoming a victim of domestic violence.

192 (i) Petitioner alleges the following additional specific
193 facts: ...(mark appropriate sections)...

194A minor child or minor children reside with the
195 petitioner whose names and ages are as follows:.....

196
197Petitioner needs the exclusive use and possession of
198 the dwelling that the parties share.

199Petitioner is unable to obtain safe alternative housing
200 because:

201
 202 Petitioner genuinely fears that respondent imminently
 203 will abuse, remove, or hide the minor child or children from
 204 petitioner because:.....

205
 206 (j) Petitioner genuinely fears imminent domestic violence
 207 by respondent.

208 (k) Petitioner seeks an injunction: ... (mark appropriate
 209 section or sections)...

210 Immediately restraining the respondent from committing
 211 any acts of domestic violence.

212 Restraining the respondent from committing any acts of
 213 domestic violence.

214 Awarding to the petitioner the temporary exclusive use
 215 and possession of the dwelling that the parties share or
 216 excluding the respondent from the residence of the petitioner.

217 Providing a temporary parenting plan, including a
 218 temporary time-sharing schedule, with regard to the minor child
 219 or children of the parties which might involve prohibiting or
 220 limiting time-sharing or requiring that it be supervised by a
 221 third party.

222 If temporary time-sharing of the child is awarded to
 223 the respondent, designating that the exchange of the minor child
 224 or children of the parties must occur at a neutral safe exchange
 225 location as provided in s. 125.01(8) or a supervised visitation

226 program as defined in s. 753.01.

227 Establishing temporary support for the minor child or
228 children or the petitioner.

229 Directing the respondent to participate in a batterers'
230 intervention program.

231 Providing any terms the court deems necessary for the
232 protection of a victim of domestic violence, or any minor
233 children of the victim, including any injunctions or directives
234 to law enforcement agencies.

235 (5)(a) If it appears to the court that an immediate and
236 present danger of domestic violence exists, the court may grant
237 a temporary injunction ex parte, pending a full hearing, and may
238 grant such relief as the court deems proper, including an
239 injunction:

240 1. Restraining the respondent from committing any acts of
241 domestic violence.

242 2. Awarding to the petitioner the temporary exclusive use
243 and possession of the dwelling that the parties share or
244 excluding the respondent from the residence of the petitioner.

245 3. On the same basis as provided in s. 61.13, providing
246 the petitioner a temporary parenting plan, including a time-
247 sharing schedule, which may award the petitioner up to 100
248 percent of the time-sharing. If temporary time-sharing is
249 awarded to the respondent, the exchange of the child must occur
250 at a neutral safe exchange location as provided in s. 125.01(8)

251 or a supervised visitation program as defined in s. 753.01 if
252 the court determines it is in the best interests of the child
253 after consideration of all of the factors in s. 61.13(3). The
254 temporary parenting plan remains in effect until the order
255 expires or an order is entered by a court of competent
256 jurisdiction in a pending or subsequent civil action or
257 proceeding affecting the placement of, access to, parental time
258 with, adoption of, or parental rights and responsibilities for
259 the minor child.

260 4. If the petitioner and respondent have an existing
261 parenting plan or time-sharing schedule under another court
262 order, designating that the exchange of the minor child or
263 children of the parties must occur at a neutral safe exchange
264 location as provided in s. 125.01(8) or a supervised visitation
265 program as defined in s. 753.01 if the court determines it is in
266 the best interests of the child after consideration of all of
267 the factors in s. 61.13(3).

268 5.4. Awarding to the petitioner the temporary exclusive
269 care, possession, or control of an animal that is owned,
270 possessed, harbored, kept, or held by the petitioner, the
271 respondent, or a minor child residing in the residence or
272 household of the petitioner or respondent. The court may order
273 the respondent to temporarily have no contact with the animal
274 and prohibit the respondent from taking, transferring,
275 encumbering, concealing, harming, or otherwise disposing of the

276 animal. This subparagraph does not apply to an animal owned
 277 primarily for a bona fide agricultural purpose, as defined under
 278 s. 193.461, or to a service animal, as defined under s. 413.08,
 279 if the respondent is the service animal's handler.

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

286 1. Restraining the respondent from committing any acts of
 287 domestic violence.

288 2. Awarding to the petitioner the exclusive use and
 289 possession of the dwelling that the parties share or excluding
 290 the respondent from the residence of the petitioner.

291 3. On the same basis as provided in chapter 61, providing
 292 the petitioner with 100 percent of the time-sharing in a
 293 temporary parenting plan that remains in effect until the order
 294 expires or an order is entered by a court of competent
 295 jurisdiction in a pending or subsequent civil action or
 296 proceeding affecting the placement of, access to, parental time
 297 with, adoption of, or parental rights and responsibilities for
 298 the minor child.

299 4. If the petitioner and respondent have an existing
 300 parenting plan or time-sharing schedule under another court

301 order, designating that the exchange of the minor child or
302 children of the parties must occur at a neutral safe exchange
303 location as provided in s. 125.01(8) or a supervised visitation
304 program as defined in s. 753.01 if the court determines it is in
305 the best interests of the child after consideration of all of
306 the factors in s. 61.13(3).

307 ~~5.4.~~ On the same basis as provided in chapter 61,
308 establishing temporary support for a minor child or children or
309 the petitioner. An order of temporary support remains in effect
310 until the order expires or an order is entered by a court of
311 competent jurisdiction in a pending or subsequent civil action
312 or proceeding affecting child support.

313 ~~6.5.~~ Ordering the respondent to participate in treatment,
314 intervention, or counseling services to be paid for by the
315 respondent. When the court orders the respondent to participate
316 in a batterers' intervention program, the court, or any entity
317 designated by the court, must provide the respondent with a list
318 of batterers' intervention programs from which the respondent
319 must choose a program in which to participate.

320 ~~7.6.~~ Referring a petitioner to a certified domestic
321 violence center. The court must provide the petitioner with a
322 list of certified domestic violence centers in the circuit which
323 the petitioner may contact.

324 ~~8.7.~~ Awarding to the petitioner the exclusive care,
325 possession, or control of an animal that is owned, possessed,

326 harbored, kept, or held by the petitioner, the respondent, or a
327 minor child residing in the residence or household of the
328 petitioner or respondent. The court may order the respondent to
329 have no contact with the animal and prohibit the respondent from
330 taking, transferring, encumbering, concealing, harming, or
331 otherwise disposing of the animal. This subparagraph does not
332 apply to an animal owned primarily for a bona fide agricultural
333 purpose, as defined under s. 193.461, or to a service animal, as
334 defined under s. 413.08, if the respondent is the service
335 animal's handler.

336 9.8. Ordering such other relief as the court deems
337 necessary for the protection of a victim of domestic violence,
338 including injunctions or directives to law enforcement agencies,
339 as provided in this section.

340 (c) The terms of an injunction restraining the respondent
341 under subparagraph (a)1. or ordering other relief for the
342 protection of the victim under subparagraph (a)9.~~(a)8.~~ shall
343 remain in effect until modified or dissolved. Either party may
344 move at any time to modify or dissolve the injunction. No
345 specific allegations are required. Such relief may be granted in
346 addition to other civil or criminal remedies.

347 Section 6. This act shall take effect July 1, 2024.