

26 powers of court.—

27 (2)

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

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

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

36 3. Designate who will be responsible for:

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

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

43 c. Other activities.~~;~~~~and~~

44 4. Describe in adequate detail the methods and
45 technologies that the parents will use to communicate with the
46 child.

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

49 The court may require the parents to exchange the child at a
50 neutral safe exchange location as provided in s. 125.01(8) or a

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

58 Section 2. Section 61.455, Florida Statutes, is created to
59 read:

60 61.455 Court-ordered parenting plan; neutral safe exchange
61 location or supervised visitation program.—In any proceeding in
62 which the court enters a parenting plan and time-sharing
63 schedule, including in a modification proceeding, upon the
64 presentation of competent substantial evidence that there is a
65 risk or an imminent threat of harm to one party or a child
66 during the exchange of the child and that it is in the best
67 interests of the child after consideration of all of the factors
68 in s. 61.13(3), the court may require the parties to exchange
69 custody of the child at a neutral safe exchange location as
70 provided in s. 125.01(8) or a supervised visitation program as
71 defined in s. 753.01. Competent substantial evidence includes,
72 but is not limited to, a court-ordered injunction for protection
73 under s. 741.30, s. 784.046, or s. 784.0485.

74 Section 3. Subsection (8) is added to section 125.01,
75 Florida Statutes, to read:

76 125.01 Powers and duties.—

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

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

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

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

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

96 (c) A cause of action does not arise against a county, a
97 sheriff, a law enforcement officer, or an employee of the
98 designated safe exchange location based on an incident arising
99 out of a meeting to exchange a minor child at a safe exchange
100 location pursuant to this subsection.

101 Section 4. Paragraph (b) of subsection (3), paragraph (a)
102 of subsection (5), and paragraphs (a) and (c) of subsection (6)
103 of section 741.30, Florida Statutes, are amended to read:

104 741.30 Domestic violence; injunction; powers and duties of
105 court and clerk; petition; notice and hearing; temporary
106 injunction; issuance of injunction; statewide verification
107 system; enforcement; public records exemption.—

108 (3)

109 (b) The sworn petition shall be in substantially the
110 following form:

111 PETITION FOR

112 INJUNCTION FOR PROTECTION

113 AGAINST DOMESTIC VIOLENCE

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

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

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

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

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

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

126 Race.....

127 Sex.....

128 Date of birth.....

129 Height.....

130 Weight.....

131 Eye color.....

132 Hair color.....

133 Distinguishing marks or scars.....

134 (e) Aliases of respondent:

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

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

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

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

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

140 common, regardless of whether the petitioner and respondent are

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

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

143 currently pending between the petitioner and respondent:

144

145 The petitioner should also describe any previous or pending

146 attempts by the petitioner to obtain an injunction for

147 protection against domestic violence in this or any other

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

149

150 Case numbers should be included if available.

151 (h) Petitioner is either a victim of domestic violence or
 152 has reasonable cause to believe he or she is in imminent danger
 153 of becoming a victim of domestic violence because respondent
 154 has: ...(mark all sections that apply and describe in the spaces
 155 below the incidents of violence or threats of violence,
 156 specifying when and where they occurred, including, but not
 157 limited to, locations such as a home, school, place of
 158 employment, or visitation exchange)...

159
 160

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

171previously threatened, harassed, stalked, or physically
 172 abused the petitioner.

173attempted to harm the petitioner or family members or
 174 individuals closely associated with the petitioner.

175threatened to conceal, kidnap, or harm the petitioner's

176 | child or children.
 177 | intentionally injured or killed a family pet.
 178 | used, or has threatened to use, against the petitioner
 179 | any weapons such as guns or knives.
 180 | physically restrained the petitioner from leaving the
 181 | home or calling law enforcement.
 182 | a criminal history involving violence or the threat of
 183 | violence (if known).
 184 | another order of protection issued against him or her
 185 | previously or from another jurisdiction (if known).
 186 | destroyed personal property, including, but not limited
 187 | to, telephones or other communication equipment, clothing, or
 188 | other items belonging to the petitioner.
 189 | engaged in a pattern of abusive, threatening,
 190 | intimidating, or controlling behavior composed of a series of
 191 | acts over a period of time, however short.
 192 | engaged in any other behavior or conduct that leads the
 193 | petitioner to have reasonable cause to believe he or she is in
 194 | imminent danger of becoming a victim of domestic violence.
 195 | (i) Petitioner alleges the following additional specific
 196 | facts: ... (mark appropriate sections) ...
 197 | A minor child or minor children reside with the
 198 | petitioner whose names and ages are as follows:
 199 |
 200 | Petitioner needs the exclusive use and possession of

201 the dwelling that the parties share.

202 Petitioner is unable to obtain safe alternative housing

203 because:

204

205 Petitioner genuinely fears that respondent imminently

206 will abuse, remove, or hide the minor child or children from

207 petitioner because:.....

208

209 (j) Petitioner genuinely fears imminent domestic violence

210 by respondent.

211 (k) Petitioner seeks an injunction: ... (mark appropriate

212 section or sections)...

213 Immediately restraining the respondent from committing

214 any acts of domestic violence.

215 Restraining the respondent from committing any acts of

216 domestic violence.

217 Awarding to the petitioner the temporary exclusive use

218 and possession of the dwelling that the parties share or

219 excluding the respondent from the residence of the petitioner.

220 Providing a temporary parenting plan, including a

221 temporary time-sharing schedule, with regard to the minor child

222 or children of the parties which might involve prohibiting or

223 limiting time-sharing or requiring that it be supervised by a

224 third party.

225 If temporary time-sharing of the child is awarded to

226 | the respondent, designating that the exchange of the minor child
 227 | or children of the parties must occur at a neutral safe exchange
 228 | location as provided in s. 125.01(8) or a supervised visitation
 229 | program as defined in s. 753.01.

230 | Establishing temporary support for the minor child or
 231 | children or the petitioner.

232 | Directing the respondent to participate in a batterers'
 233 | intervention program.

234 | Providing any terms the court deems necessary for the
 235 | protection of a victim of domestic violence, or any minor
 236 | children of the victim, including any injunctions or directives
 237 | to law enforcement agencies.

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

243 | 1. Restraining the respondent from committing any acts of
 244 | domestic violence.

245 | 2. Awarding to the petitioner the temporary exclusive use
 246 | and possession of the dwelling that the parties share or
 247 | excluding the respondent from the residence of the petitioner.

248 | 3. On the same basis as provided in s. 61.13, providing
 249 | the petitioner a temporary parenting plan, including a time-
 250 | sharing schedule, which may award the petitioner up to 100

251 percent of the time-sharing. If temporary time-sharing is
252 awarded to the respondent, the exchange of the child must occur
253 at a neutral safe exchange location as provided in s. 125.01(8)
254 or a supervised visitation program as defined in s. 753.01 if
255 the court determines it is in the best interests of the child
256 after consideration of all of the factors in s. 61.13(3). The
257 temporary parenting plan remains in effect until the order
258 expires or an order is entered by a court of competent
259 jurisdiction in a pending or subsequent civil action or
260 proceeding affecting the placement of, access to, parental time
261 with, adoption of, or parental rights and responsibilities for
262 the minor child.

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

271 5.4. Awarding to the petitioner the temporary exclusive
272 care, possession, or control of an animal that is owned,
273 possessed, harbored, kept, or held by the petitioner, the
274 respondent, or a minor child residing in the residence or
275 household of the petitioner or respondent. The court may order

276 the respondent to temporarily have no contact with the animal
277 and prohibit the respondent from taking, transferring,
278 encumbering, concealing, harming, or otherwise disposing of the
279 animal. This subparagraph does not apply to an animal owned
280 primarily for a bona fide agricultural purpose, as defined under
281 s. 193.461, or to a service animal, as defined under s. 413.08,
282 if the respondent is the service animal's handler.

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

289 1. Restraining the respondent from committing any acts of
290 domestic violence.

291 2. Awarding to the petitioner the exclusive use and
292 possession of the dwelling that the parties share or excluding
293 the respondent from the residence of the petitioner.

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

301 the minor child.

302 4. If the petitioner and respondent have an existing
303 parenting plan or time-sharing schedule under another court
304 order, designating that the exchange of the minor child or
305 children of the parties must occur at a neutral safe exchange
306 location as provided in s. 125.01(8) or a supervised visitation
307 program as defined in s. 753.01 if the court determines it is in
308 the best interests of the child after consideration of all of
309 the factors in s. 61.13(3).

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

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

323 ~~7.6.~~ Referring a petitioner to a certified domestic
324 violence center. The court must provide the petitioner with a
325 list of certified domestic violence centers in the circuit which

326 the petitioner may contact.

327 ~~8.7.~~ Awarding to the petitioner the exclusive care,
328 possession, or control of an animal that is owned, possessed,
329 harbored, kept, or held by the petitioner, the respondent, or a
330 minor child residing in the residence or household of the
331 petitioner or respondent. The court may order the respondent to
332 have no contact with the animal and prohibit the respondent from
333 taking, transferring, encumbering, concealing, harming, or
334 otherwise disposing of the animal. This subparagraph does not
335 apply to an animal owned primarily for a bona fide agricultural
336 purpose, as defined under s. 193.461, or to a service animal, as
337 defined under s. 413.08, if the respondent is the service
338 animal's handler.

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

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

350 Section 5. This act shall take effect July 1, 2024.