

By the Committee on Criminal Justice; and Senators Calatayud and Book

591-02982-24

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1 A bill to be entitled
2 An act relating to interpersonal violence injunction
3 petitions; amending ss. 741.30, 784.046, and 784.0485,
4 F.S.; revising a requirement that petitions for
5 injunction for protection against domestic violence,
6 repeat violence, sexual violence, or dating violence,
7 and stalking, respectively, be verified, rather than
8 sworn to; revising the form for such petitions for
9 injunction to require a person to verify, rather than
10 swear to, certain statements; requiring the clerk of
11 the court to include an injunction in the Driver and
12 Vehicle Information Database; conforming provisions to
13 changes made by the act; reenacting ss. 39.301(9)(b)
14 and (10)(a), 39.504(4)(b) and (5), 61.45(4) and
15 (7)(b), 741.29(1), 741.2902(2), and 741.31(4), F.S.,
16 relating to initiation of protective investigations,
17 injunctions and penalties, court-ordered parenting
18 plans, investigation of domestic violence incidents,
19 legislative intent with respect to the judiciary's
20 role in domestic violence cases, and violation of an
21 injunction for protection against domestic violence,
22 respectively, to incorporate the amendment made to s.
23 741.30, F.S., in references thereto; reenacting ss.
24 61.1825(3)(a), 61.1827(1), 394.4597(2)(e),
25 394.4598(2)(g) and (h), 397.6978(2)(g) and (h),
26 784.048(4), 790.065(2)(c), 901.15(6), (7), and (13),
27 921.141(6)(p), and 921.1425(7)(j), F.S., relating to
28 the State Case Registry, identifying information
29 concerning applicants for and recipients of child

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30 support services, persons to be notified for
31 involuntary patients, guardian advocates, guardian
32 advocates for patients incompetent to consent,
33 penalties for stalking, the sale and delivery of
34 firearms, arrest by an officer without a warrant, the
35 sentence of death or life imprisonment for capital
36 felonies, and the sentence of death or life
37 imprisonment for capital sexual battery, respectively,
38 to incorporate the amendments made to ss. 741.30 and
39 784.046, F.S., in references thereto; reenacting ss.
40 28.2221(8)(a), (b), and (c), 57.105(8), 741.315(2),
41 790.401(2)(e) and (3)(c) and (e), 934.03(2)(1), and
42 934.425(3), F.S., relating to electronic access to
43 official records, attorney fees and sanctions,
44 recognition of foreign protection orders, petitions
45 for a risk protection order, prohibited interception
46 and disclosure of wire, oral, or electronic
47 communications, and installation of tracking devices
48 or tracking applications, respectively, to incorporate
49 the amendments made to ss. 741.30, 784.046, and
50 784.0485, F.S., in references thereto; reenacting s.
51 790.233(1), F.S., relating to prohibited possession of
52 a firearm or ammunition for certain persons subject to
53 an injunction, to incorporate the amendments made in
54 ss. 741.30 and 784.0485, F.S., in references thereto;
55 reenacting s. 784.047(1), F.S., relating to penalties
56 for violating protective injunctions against
57 violators, to incorporate the amendment made to s.
58 784.046, F.S., in a reference thereto; reenacting s.

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59 784.0487(4) (a), F.S., relating to violation of an
60 injunction for protection against stalking or
61 cyberstalking, to incorporate the amendment made to s.
62 784.0485, F.S., in a reference thereto; providing an
63 effective date.

64
65 Be It Enacted by the Legislature of the State of Florida:

66
67 Section 1. Paragraph (a) of subsection (1), subsection (3),
68 and paragraph (a) of subsection (8) of section 741.30, Florida
69 Statutes, are amended to read:

70 741.30 Domestic violence; injunction; powers and duties of
71 court and clerk; petition; notice and hearing; temporary
72 injunction; issuance of injunction; statewide verification
73 system; enforcement; public records exemption.—

74 (1) There is created a cause of action for an injunction
75 for protection against domestic violence.

76 (a) Any person described in paragraph (e), who is either
77 the victim of domestic violence as defined in s. 741.28 or has
78 reasonable cause to believe he or she is in imminent danger of
79 becoming the victim of any act of domestic violence, has
80 standing in the circuit court to file a verified ~~sworn~~ petition
81 for an injunction for protection against domestic violence.

82 (3) (a) The verified ~~sworn~~ petition must allege the
83 existence of such domestic violence and must include the
84 specific facts and circumstances upon the basis of which relief
85 is sought.

86 (b) The verified ~~sworn~~ petition shall be in substantially
87 the following form:

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PETITION FOR
INJUNCTION FOR PROTECTION
AGAINST DOMESTIC VIOLENCE

~~Before me,~~ The undersigned ~~authority,~~ personally appeared
Petitioner ...(Name)..., declares under penalty of perjury ~~who~~
~~has been sworn and says~~ that the following statements are true:

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

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

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

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

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

Race.....

Sex.....

Date of birth.....

Height.....

Weight.....

Eye color.....

Hair color.....

Distinguishing marks or scars.....

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

(f) Respondent is the spouse or former spouse of the
petitioner or is any other person related by blood or marriage
to the petitioner or is any other person who is or was residing

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117 within a single dwelling unit with the petitioner, as if a
 118 family, or is a person with whom the petitioner has a child in
 119 common, regardless of whether the petitioner and respondent are
 120 or were married or residing together, as if a family.

121 (g) The following describes any other cause of action
 122 currently pending between the petitioner and respondent:.....
 123

124 The petitioner should also describe any previous or pending
 125 attempts by the petitioner to obtain an injunction for
 126 protection against domestic violence in this or any other
 127 circuit, and the results of that attempt:.....
 128

129 Case numbers should be included if available.

130 (h) Petitioner is either a victim of domestic violence or
 131 has reasonable cause to believe he or she is in imminent danger
 132 of becoming a victim of domestic violence because respondent
 133 has: ...(mark all sections that apply and describe in the spaces
 134 below the incidents of violence or threats of violence,
 135 specifying when and where they occurred, including, but not
 136 limited to, locations such as a home, school, place of
 137 employment, or visitation exchange)...

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140committed or threatened to commit domestic violence
 141 defined in s. 741.28, Florida Statutes, as any assault,
 142 aggravated assault, battery, aggravated battery, sexual assault,
 143 sexual battery, stalking, aggravated stalking, kidnapping, false
 144 imprisonment, or any criminal offense resulting in physical
 145 injury or death of one family or household member by another.

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

150 ...previously threatened, harassed, stalked, or physically
151 abused the petitioner.

152 ...attempted to harm the petitioner or family members or
153 individuals closely associated with the petitioner.

154 ...threatened to conceal, kidnap, or harm the petitioner's
155 child or children.

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

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

159 ...physically restrained the petitioner from leaving the
160 home or calling law enforcement.

161 ...a criminal history involving violence or the threat of
162 violence (if known).

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

165 ...destroyed personal property, including, but not limited
166 to, telephones or other communication equipment, clothing, or
167 other items belonging to the petitioner.

168 ...engaged in a pattern of abusive, threatening,
169 intimidating, or controlling behavior composed of a series of
170 acts over a period of time, however short.

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

174 (i) Petitioner alleges the following additional specific

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175 facts: ...(mark appropriate sections)...

176A minor child or minor children reside with the
177 petitioner whose names and ages are as follows:

178
179Petitioner needs the exclusive use and possession of
180 the dwelling that the parties share.

181Petitioner is unable to obtain safe alternative housing
182 because:

183
184Petitioner genuinely fears that respondent imminently
185 will abuse, remove, or hide the minor child or children from
186 petitioner because:

187
188 (j) Petitioner genuinely fears imminent domestic violence
189 by respondent.

190 (k) Petitioner seeks an injunction: ...(mark appropriate
191 section or sections)...

192Immediately restraining the respondent from committing
193 any acts of domestic violence.

194Restraining the respondent from committing any acts of
195 domestic violence.

196Awarding to the petitioner the temporary exclusive use
197 and possession of the dwelling that the parties share or
198 excluding the respondent from the residence of the petitioner.

199Providing a temporary parenting plan, including a
200 temporary time-sharing schedule, with regard to the minor child
201 or children of the parties which might involve prohibiting or
202 limiting time-sharing or requiring that it be supervised by a
203 third party.

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204 Establishing temporary support for the minor child or
205 children or the petitioner.

206 Directing the respondent to participate in a batterers'
207 intervention program.

208 Providing any terms the court deems necessary for the
209 protection of a victim of domestic violence, or any minor
210 children of the victim, including any injunctions or directives
211 to law enforcement agencies.

212

213 (c) Every petition for an injunction against domestic
214 violence must contain, directly above the signature line, a
215 statement in all capital letters and bold type not smaller than
216 the surrounding text, as follows:

217

218 I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND
219 EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT
220 THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE
221 UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN
222 SECTION 92.525 ~~837.02~~, FLORIDA STATUTES.

223

...(initials)...

224 (d) If the verified ~~sworn~~ petition seeks to determine a
225 parenting plan and time-sharing schedule with regard to the
226 minor child or children of the parties, the verified ~~sworn~~
227 petition must be accompanied by or must incorporate the
228 allegations required by s. 61.522 of the Uniform Child Custody
229 Jurisdiction and Enforcement Act.

230 (8) (a)1. Within 24 hours after the court issues an
231 injunction for protection against domestic violence, the clerk
232 of the court shall electronically transmit a copy of the

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233 petition, financial affidavit, Uniform Child Custody
234 Jurisdiction and Enforcement Act affidavit, if any, notice of
235 hearing, and temporary injunction, if any, to the sheriff or a
236 law enforcement agency of the county where the respondent
237 resides or can be found, who shall serve it upon the respondent
238 as soon thereafter as possible on any day of the week and at any
239 time of the day or night. An electronic copy of an injunction
240 must be certified by the clerk of the court, and the electronic
241 copy must be served in the same manner as a certified copy. Upon
242 receiving an electronic copy of the injunction, the sheriff must
243 verify receipt with the sender before attempting to serve it
244 upon the respondent. In addition, if the sheriff is in
245 possession of an injunction for protection that has been
246 certified by the clerk of the court, the sheriff may
247 electronically transmit a copy of that injunction to a law
248 enforcement officer who shall serve it in the same manner as a
249 certified copy. The clerk of the court is responsible for
250 furnishing to the sheriff such information on the respondent's
251 physical description and location as is required by the
252 department to comply with the verification procedures set forth
253 in this section. Notwithstanding any other law to the contrary,
254 the chief judge of each circuit, in consultation with the
255 appropriate sheriff, may authorize a law enforcement agency
256 within the jurisdiction to effect service. A law enforcement
257 agency serving injunctions pursuant to this section must use
258 service and verification procedures consistent with those of the
259 sheriff.

260 2. For an injunction issued after July 1, 2025, the clerk
261 of the court must provide to the Department of Highway Safety

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262 and Motor Vehicles that such an injunction was issued, and must
263 update the Department of Highway Safety and Motor Vehicles when
264 such an injunction in no longer in place. Such information must
265 be included in the Driver and Vehicle Information Database.

266 ~~3.2.~~ When an injunction is issued, if the petitioner
267 requests the assistance of a law enforcement agency, the court
268 may order that an officer from the appropriate law enforcement
269 agency accompany the petitioner and assist in placing the
270 petitioner in possession of the dwelling or residence, or
271 otherwise assist in the execution or service of the injunction.
272 A law enforcement officer must accept a copy of an injunction
273 for protection against domestic violence, certified by the clerk
274 of the court, from the petitioner and immediately serve it upon
275 a respondent who has been located but not yet served.

276 ~~4.3.~~ All orders issued, changed, continued, extended, or
277 vacated subsequent to the original service of documents
278 enumerated under subparagraph 1. must be certified by the clerk
279 of the court and delivered to the parties at the time of the
280 entry of the order. The parties may acknowledge receipt of such
281 order in writing on the face of the original order. In the event
282 a party fails or refuses to acknowledge the receipt of a
283 certified copy of an order, the clerk shall note on the original
284 order that service was effected. If delivery at the hearing is
285 not possible, the clerk shall mail certified copies of the order
286 to the parties at the last known address of each party. Service
287 by mail is complete upon mailing. When an order is served
288 pursuant to this subsection, the clerk shall prepare a written
289 certification to be placed in the court file specifying the
290 time, date, and method of service and shall notify the sheriff.

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292 If the respondent has been served previously with the temporary
293 injunction and has failed to appear at the initial hearing on
294 the temporary injunction, any subsequent petition for injunction
295 seeking an extension of time may be served on the respondent by
296 the clerk of the court by certified mail in lieu of personal
297 service by a law enforcement officer.

298 Section 2. Subsections (2), (4), and paragraph (a) of
299 subsection (8) of section 784.046, Florida Statutes, are amended
300 to read:

301 784.046 Action by victim of repeat violence, sexual
302 violence, or dating violence for protective injunction; dating
303 violence investigations, notice to victims, and reporting;
304 pretrial release violations; public records exemption.—

305 (2) There is created a cause of action for an injunction
306 for protection in cases of repeat violence, there is created a
307 separate cause of action for an injunction for protection in
308 cases of dating violence, and there is created a separate cause
309 of action for an injunction for protection in cases of sexual
310 violence.

311 (a) Any person who is the victim of repeat violence or the
312 parent or legal guardian of any minor child who is living at
313 home and who seeks an injunction for protection against repeat
314 violence on behalf of the minor child has standing in the
315 circuit court to file a verified ~~sworn~~ petition for an
316 injunction for protection against repeat violence.

317 (b) Any person who is the victim of dating violence and has
318 reasonable cause to believe he or she is in imminent danger of
319 becoming the victim of another act of dating violence, or any

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320 person who has reasonable cause to believe he or she is in
321 imminent danger of becoming the victim of an act of dating
322 violence, or the parent or legal guardian of any minor child who
323 is living at home and who seeks an injunction for protection
324 against dating violence on behalf of that minor child, has
325 standing in the circuit court to file a verified ~~sworn~~ petition
326 for an injunction for protection against dating violence.

327 (c) A person who is the victim of sexual violence or the
328 parent or legal guardian of a minor child who is living at home
329 who is the victim of sexual violence has standing in the circuit
330 court to file a verified ~~sworn~~ petition for an injunction for
331 protection against sexual violence on his or her own behalf or
332 on behalf of the minor child if:

333 1. The person has reported the sexual violence to a law
334 enforcement agency and is cooperating in any criminal proceeding
335 against the respondent, regardless of whether criminal charges
336 based on the sexual violence have been filed, reduced, or
337 dismissed by the state attorney; or

338 2. The respondent who committed the sexual violence against
339 the victim or minor child was sentenced to a term of
340 imprisonment in state prison for the sexual violence and the
341 respondent's term of imprisonment has expired or is due to
342 expire within 90 days following the date the verified petition
343 is filed.

344 (d) A cause of action for an injunction may be sought
345 whether or not any other petition, complaint, or cause of action
346 is currently available or pending between the parties.

347 (e) A cause of action for an injunction does not require
348 that the petitioner be represented by an attorney.

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349 (4) (a) The verified ~~sworn~~ petition shall allege the
 350 incidents of repeat violence, sexual violence, or dating
 351 violence and shall include the specific facts and circumstances
 352 that form the basis upon which relief is sought. With respect to
 353 a minor child who is living at home, the parent or legal
 354 guardian seeking the protective injunction on behalf of the
 355 minor child must:

356 1. Have been an eyewitness to, or have direct physical
 357 evidence or affidavits from eyewitnesses of, the specific facts
 358 and circumstances that form the basis upon which relief is
 359 sought, if the party against whom the protective injunction is
 360 sought is also a parent, stepparent, or legal guardian of the
 361 minor child; or

362 2. Have reasonable cause to believe that the minor child is
 363 a victim of repeat violence, sexual violence, or dating violence
 364 to form the basis upon which relief is sought, if the party
 365 against whom the protective injunction is sought is a person
 366 other than a parent, stepparent, or legal guardian of the minor
 367 child.

368 (b) The verified ~~sworn~~ petition must be in substantially
 369 the following form:

371 PETITION FOR INJUNCTION FOR PROTECTION
 372 AGAINST REPEAT VIOLENCE, SEXUAL
 373 VIOLENCE, OR DATING VIOLENCE
 374

375 ~~Before me,~~ The undersigned authority, ~~personally appeared~~
 376 Petitioner ... (Name) ..., declares under penalty of perjury ~~who~~
 377 ~~has been sworn and says~~ that the following statements are true:

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1. Petitioner resides at ...(address)... (A petitioner for an injunction for protection against sexual violence may furnish an address to the court in a separate confidential filing if, for safety reasons, the petitioner requires the location of his or her current residence to be confidential pursuant to s. 119.071(2)(j), Florida Statutes.)

2. Respondent resides at ...(address)....

3.a. Petitioner has suffered repeat violence as demonstrated by the fact that the respondent has:

...(enumerate incidents of violence)...

.....
.....
.....

b. Petitioner has suffered sexual violence as demonstrated by the fact that the respondent has: ...(enumerate incident of violence and include incident report number from law enforcement agency or attach notice of inmate release)...

.....
.....
.....

c. Petitioner is a victim of dating violence and has reasonable cause to believe that he or she is in imminent danger of becoming the victim of another act of dating violence or has reasonable cause to believe that he or she is in imminent danger

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407 of becoming a victim of dating violence, as demonstrated by the
 408 fact that the respondent has: ...(list the specific incident or
 409 incidents of violence and describe the length of time of the
 410 relationship, whether it has been in existence during the last 6
 411 months, the nature of the relationship of a romantic or intimate
 412 nature, the frequency and type of interaction, and any other
 413 facts that characterize the relationship)...

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419 4. Petitioner genuinely fears repeat violence by the
 420 respondent.

421 5. Petitioner seeks: an immediate injunction against the
 422 respondent, enjoining him or her from committing any further
 423 acts of violence; an injunction enjoining the respondent from
 424 committing any further acts of violence; and an injunction
 425 providing any terms the court deems necessary for the protection
 426 of the petitioner and the petitioner's immediate family,
 427 including any injunctions or directives to law enforcement
 428 agencies.

429 (c) Every petition for an injunction against repeat
 430 violence, sexual violence, or dating violence must contain the
 431 following statement directly above the signature line, in all
 432 capital letters and bold type not smaller than the surrounding
 433 text:

434
 435 I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND

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436 EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT
437 THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE
438 UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN
439 SECTION 92.525, FLORIDA STATUTES.

440 (8) (a)1. Within 24 hours after the court issues an
441 injunction for protection against repeat violence, sexual
442 violence, or dating violence, the clerk of the court shall
443 electronically transmit a copy of the petition, notice of
444 hearing, and temporary injunction, if any, to the sheriff or a
445 law enforcement agency of the county where the respondent
446 resides or can be found, who shall serve it upon the respondent
447 as soon thereafter as possible on any day of the week and at any
448 time of the day or night. An electronic copy of an injunction
449 must be certified by the clerk of the court, and the electronic
450 copy must be served in the same manner as a certified copy. Upon
451 receiving an electronic copy of the injunction, the sheriff must
452 verify receipt with the sender before attempting to serve it
453 upon the respondent. In addition, if the sheriff is in
454 possession of an injunction for protection that has been
455 certified by the clerk of the court, the sheriff may
456 electronically transmit a copy of that injunction to a law
457 enforcement officer who shall serve it in the same manner as a
458 certified copy. The clerk of the court is responsible for
459 furnishing to the sheriff such information on the respondent's
460 physical description and location as is required by the
461 department to comply with the verification procedures set forth
462 in this section. Notwithstanding any other law to the contrary,
463 the chief judge of each circuit, in consultation with the
464 appropriate sheriff, may authorize a law enforcement agency

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465 within the chief judge's jurisdiction to effect this type of
466 service and to receive a portion of the service fee. A person
467 may not serve or execute an injunction issued under this section
468 unless the person is a law enforcement officer as defined in
469 chapter 943.

470 2. For an injunction issued after July 1, 2025, the clerk
471 of the court must provide to the Department of Highway Safety
472 and Motor Vehicles that such an injunction was issued, and must
473 update the Department of Highway Safety and Motor Vehicles when
474 such an injunction is no longer in place. Such information must
475 be included in the Driver and Vehicle Information Database.

476 ~~3.2.~~ When an injunction is issued, if the petitioner
477 requests the assistance of a law enforcement agency, the court
478 may order that an officer from the appropriate law enforcement
479 agency accompany the petitioner and assist in the execution or
480 service of the injunction. A law enforcement officer must accept
481 a copy of an injunction for protection against repeat violence,
482 sexual violence, or dating violence, certified by the clerk of
483 the court, from the petitioner and immediately serve it upon a
484 respondent who has been located but not yet served.

485 Section 3. Paragraph (a) of subsection (1), paragraphs (a),
486 (b), and (f) of subsection (3), and paragraph (a) of subsection
487 (8) of section 784.0485, Florida Statutes, are amended to read:

488 784.0485 Stalking; injunction; powers and duties of court
489 and clerk; petition; notice and hearing; temporary injunction;
490 issuance of injunction; statewide verification system;
491 enforcement.—

492 (1) There is created a cause of action for an injunction
493 for protection against stalking. For the purposes of injunctions

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494 for protection against stalking under this section, the offense
 495 of stalking shall include the offense of cyberstalking.

496 (a) A person who is the victim of stalking or the parent or
 497 legal guardian of a minor child who is living at home who seeks
 498 an injunction for protection against stalking on behalf of the
 499 minor child has standing in the circuit court to file a verified
 500 ~~sworn~~ petition for an injunction for protection against
 501 stalking.

502 (3) (a) The verified ~~sworn~~ petition shall allege the
 503 existence of such stalking and shall include the specific facts
 504 and circumstances for which relief is sought.

505 (b) The verified ~~sworn~~ petition shall be in substantially
 506 the following form:

507
 508 PETITION FOR INJUNCTION
 509 FOR PROTECTION AGAINST STALKING

510
 511 ~~Before me,~~ The undersigned ~~authority,~~ personally
 512 ~~appeared~~ Petitioner ... (Name) ..., declares under
 513 penalty of perjury ~~who has been sworn and says~~ that
 514 the following statements are true:

- 515
 516 1. Petitioner resides at: ... (address) ...
 517 (Petitioner may furnish the address to the court in a
 518 separate confidential filing if, for safety reasons,
 519 the petitioner requires the location of the current
 520 residence to be confidential.)
 521 2. Respondent resides at: ... (last known address) ...
 522 3. Respondent's last known place of employment:

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- 523 ...(name of business and address)...
- 524 4. Physical description of respondent:
- 525 5. Race:
- 526 6. Sex:
- 527 7. Date of birth:
- 528 8. Height:
- 529 9. Weight:
- 530 10. Eye color:
- 531 11. Hair color:
- 532 12. Distinguishing marks or scars:
- 533 13. Aliases of respondent:

534 (f) Every petition for an injunction against stalking must
 535 contain, directly above the signature line, a statement in all
 536 capital letters and bold type not smaller than the surrounding
 537 text, as follows:

538
 539 I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND
 540 EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT
 541 THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE
 542 UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN
 543 SECTION 92.525 ~~837.02~~, FLORIDA STATUTES.

544
 545 ...(initials)...

546 (8) (a)1. Within 24 hours after the court issues an
 547 injunction for protection against stalking, the clerk of the
 548 court shall electronically transmit a copy of the petition,
 549 notice of hearing, and temporary injunction, if any, to the
 550 sheriff or a law enforcement agency of the county where the
 551 respondent resides or can be found, who shall serve it upon the

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552 respondent as soon thereafter as possible on any day of the week
553 and at any time of the day or night. An electronic copy of an
554 injunction must be certified by the clerk of the court, and the
555 electronic copy must be served in the same manner as a certified
556 copy. Upon receiving an electronic copy of the injunction, the
557 sheriff must verify receipt with the sender before attempting to
558 serve it on the respondent. In addition, if the sheriff is in
559 possession of an injunction for protection that has been
560 certified by the clerk of the court, the sheriff may
561 electronically transmit a copy of that injunction to a law
562 enforcement officer who shall serve it in the same manner as a
563 certified copy. The clerk of the court shall furnish to the
564 sheriff such information concerning the respondent's physical
565 description and location as is required by the Department of Law
566 Enforcement to comply with the verification procedures set forth
567 in this section. Notwithstanding any other law, the chief judge
568 of each circuit, in consultation with the appropriate sheriff,
569 may authorize a law enforcement agency within the jurisdiction
570 to effect service. A law enforcement agency serving injunctions
571 pursuant to this section must use service and verification
572 procedures consistent with those of the sheriff.

573 2. For an injunction issued after July 1, 2025, the clerk
574 of the court must provide to the Department of Highway Safety
575 and Motor Vehicles that such an injunction was issued, and must
576 update the Department of Highway Safety and Motor Vehicles when
577 such an injunction is no longer in place. Such information must
578 be included in the Driver and Vehicle Information Database.

579 ~~3.2.~~ If an injunction is issued and the petitioner requests
580 the assistance of a law enforcement agency, the court may order

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581 that an officer from the appropriate law enforcement agency
582 accompany the petitioner to assist in the execution or service
583 of the injunction. A law enforcement officer must accept a copy
584 of an injunction for protection against stalking, certified by
585 the clerk of the court, from the petitioner and immediately
586 serve it upon a respondent who has been located but not yet
587 served.

588 ~~4.3.~~ An order issued, changed, continued, extended, or
589 vacated subsequent to the original service of documents
590 enumerated under subparagraph 1. must be certified by the clerk
591 of the court and delivered to the parties at the time of the
592 entry of the order. The parties may acknowledge receipt of such
593 order in writing on the face of the original order. If a party
594 fails or refuses to acknowledge the receipt of a certified copy
595 of an order, the clerk shall note on the original order that
596 service was effected. If delivery at the hearing is not
597 possible, the clerk shall mail certified copies of the order to
598 the parties at the last known address of each party. Service by
599 mail is complete upon mailing. When an order is served pursuant
600 to this subsection, the clerk shall prepare a written
601 certification to be placed in the court file specifying the
602 time, date, and method of service and shall notify the sheriff.

603 ~~5.4.~~ If the respondent has been served previously with a
604 temporary injunction and has failed to appear at the initial
605 hearing on the temporary injunction, any subsequent petition for
606 injunction seeking an extension of time may be served on the
607 respondent by the clerk of the court by certified mail in lieu
608 of personal service by a law enforcement
609 officer....(initials)...

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610 Section 4. For the purpose of incorporating the amendment
611 made by this act to section 741.30, Florida Statutes, in
612 references thereto, paragraph (b) of subsection (9) and
613 paragraph (a) of subsection (10) of section 39.301, Florida
614 Statutes, are reenacted to read:

615 39.301 Initiation of protective investigations.—

616 (9)

617 (b) For each report received from the central abuse
618 hotline, the department shall determine the protective,
619 treatment, and ameliorative services necessary to safeguard and
620 ensure the child's safety and well-being and development, and
621 cause the delivery of those services through the early
622 intervention of the department or its agent. If a delay or
623 disability of the child is suspected, the parent must be
624 referred to a local child developmental screening program, such
625 as the Child Find program of the Florida Diagnostic and Learning
626 Resource System, for screening of the child. As applicable,
627 child protective investigators must inform parents and
628 caregivers how and when to use the injunction process under s.
629 741.30 to remove a perpetrator of domestic violence from the
630 home as an intervention to protect the child.

631 1. If the department determines that the interests of the
632 child and the public will be best served by providing the child
633 care or other treatment voluntarily accepted by the child and
634 the parents or legal custodians, the parent or legal custodian
635 and child may be referred for such care, case management, or
636 other community resources.

637 2. If the department determines that the child is in need
638 of protection and supervision, the department may file a

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639 petition for dependency.

640 3. If a petition for dependency is not being filed by the
641 department, the person or agency originating the report shall be
642 advised of the right to file a petition pursuant to this part.

643 4. At the close of an investigation, the department shall
644 provide to the person who is alleged to have caused the abuse,
645 neglect, or abandonment and the parent or legal custodian a
646 summary of findings from the investigation and provide
647 information about their right to access confidential reports in
648 accordance with s. 39.202.

649 (10) (a) The department's training program for staff
650 responsible for responding to reports accepted by the central
651 abuse hotline must also ensure that child protective responders:

652 1. Know how to fully inform parents or legal custodians of
653 their rights and options, including opportunities for audio or
654 video recording of child protective responder interviews with
655 parents or legal custodians or children.

656 2. Know how and when to use the injunction process under s.
657 39.504 or s. 741.30 to remove a perpetrator of domestic violence
658 from the home as an intervention to protect the child.

659 3. Know how to explain to the parent, legal custodian, or
660 person who is alleged to have caused the abuse, neglect, or
661 abandonment the results of the investigation and to provide
662 information about his or her right to access confidential
663 reports in accordance with s. 39.202, prior to closing the case.

664 Section 5. For the purpose of incorporating the amendment
665 made by this act to section 741.30, Florida Statutes, in
666 references thereto, paragraph (b) of subsection (4) and
667 subsection (5) of section 39.504, Florida Statutes, are

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668 reenacted to read:

669 39.504 Injunction; penalty.—

670 (4) If an injunction is issued under this section, the
671 primary purpose of the injunction must be to protect and promote
672 the best interests of the child, taking the preservation of the
673 child's immediate family into consideration.

674 (b) Upon proper pleading, the court may award the following
675 relief in a temporary ex parte or final injunction:

676 1. Exclusive use and possession of the dwelling to the
677 caregiver or exclusion of the alleged or actual offender from
678 the residence of the caregiver.

679 2. Temporary support for the child or other family members.

680 3. The costs of medical, psychiatric, and psychological
681 treatment for the child incurred due to the abuse, and similar
682 costs for other family members.

683

684 This paragraph does not preclude an adult victim of domestic
685 violence from seeking protection for himself or herself under s.
686 741.30.

687 (5) Service of process on the respondent shall be carried
688 out pursuant to s. 741.30. The department shall deliver a copy
689 of any injunction issued pursuant to this section to the
690 protected party or to a parent, caregiver, or individual acting
691 in the place of a parent who is not the respondent. Law
692 enforcement officers may exercise their arrest powers as
693 provided in s. 901.15(6) to enforce the terms of the injunction.

694 Section 6. For the purpose of incorporating the amendment
695 made by this act to section 741.30, Florida Statutes, in
696 references thereto, subsection (4) and paragraph (b) of

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697 subsection (7) of section 61.45, Florida Statutes, are reenacted
698 to read:

699 61.45 Court-ordered parenting plan; risk of violation;
700 bond.—

701 (4) In assessing the need for a bond or other security, the
702 court may consider any reasonable factor bearing upon the risk
703 that a party may violate a parenting plan by removing a child
704 from this state or country or by concealing the whereabouts of a
705 child, including but not limited to whether:

706 (a) A court has previously found that a party previously
707 removed a child from Florida or another state in violation of a
708 parenting plan, or whether a court had found that a party has
709 threatened to take a child out of Florida or another state in
710 violation of a parenting plan;

711 (b) The party has strong family and community ties to
712 Florida or to other states or countries, including whether the
713 party or child is a citizen of another country;

714 (c) The party has strong financial reasons to remain in
715 Florida or to relocate to another state or country;

716 (d) The party has engaged in activities that suggest plans
717 to leave Florida, such as quitting employment; sale of a
718 residence or termination of a lease on a residence, without
719 efforts to acquire an alternative residence in the state;
720 closing bank accounts or otherwise liquidating assets; applying
721 for a passport or visa; or obtaining travel documents for the
722 respondent or the child;

723 (e) Either party has had a history of domestic violence as
724 either a victim or perpetrator, child abuse or child neglect
725 evidenced by criminal history, including but not limited to,

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726 arrest, an injunction for protection against domestic violence
727 issued after notice and hearing under s. 741.30, medical
728 records, affidavits, or any other relevant information;

729 (f) The party has a criminal record;

730 (g) The party is likely to take the child to a country
731 that:

732 1. Is not a party to the Hague Convention on the Civil
733 Aspects of International Child Abduction and does not provide
734 for the extradition of an abducting parent or for the return of
735 an abducted child;

736 2. Is a party to the Hague Convention on the Civil Aspects
737 of International Child Abduction, but:

738 a. The Hague Convention on the Civil Aspects of
739 International Child Abduction is not in force between this
740 country and that country;

741 b. Is noncompliant or demonstrating patterns of
742 noncompliance according to the most recent compliance report
743 issued by the United States Department of State; or

744 c. Lacks legal mechanisms for immediately and effectively
745 enforcing a return order under the Hague Convention on the Civil
746 Aspects of International Child Abduction;

747 3. Poses a risk that the child's physical or emotional
748 health or safety would be endangered in the country because of
749 specific circumstances relating to the child or because of human
750 rights violations committed against children;

751 4. Has laws or practices that would:

752 a. Enable the respondent, without due cause, to prevent the
753 petitioner from contacting the child;

754 b. Restrict the petitioner from freely traveling to or

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755 exiting from the country because of the petitioner's gender,
756 nationality, marital status, or religion; or

757 c. Restrict the child's ability to legally leave the
758 country after the child reaches the age of majority because of a
759 child's gender, nationality, or religion;

760 5. Is included by the United States Department of State on
761 a current list of state sponsors of terrorism;

762 6. Does not have an official United States diplomatic
763 presence in the country; or

764 7. Is engaged in active military action or war, including a
765 civil war, to which the child may be exposed;

766 (h) The party is undergoing a change in immigration or
767 citizenship status that would adversely affect the respondent's
768 ability to remain in this country legally;

769 (i) The party has had an application for United States
770 citizenship denied;

771 (j) The party has forged or presented misleading or false
772 evidence on government forms or supporting documents to obtain
773 or attempt to obtain a passport, a visa, travel documents, a
774 social security card, a driver license, or other government-
775 issued identification card or has made a misrepresentation to
776 the United States government;

777 (k) The party has used multiple names to attempt to mislead
778 or defraud;

779 (l) The party has been diagnosed with a mental health
780 disorder that the court considers relevant to the risk of
781 abduction; or

782 (m) The party has engaged in any other conduct that the
783 court considers relevant to the risk of abduction.

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784 (7)

785 (b) This section, including the requirement to post a bond
786 or other security, does not apply to a parent who, in a
787 proceeding to order or modify a parenting plan or time-sharing
788 schedule, is determined by the court to be a victim of an act of
789 domestic violence or provides the court with reasonable cause to
790 believe that he or she is about to become the victim of an act
791 of domestic violence, as defined in s. 741.28. An injunction for
792 protection against domestic violence issued pursuant to s.
793 741.30 for a parent as the petitioner which is in effect at the
794 time of the court proceeding shall be one means of demonstrating
795 sufficient evidence that the parent is a victim of domestic
796 violence or is about to become the victim of an act of domestic
797 violence, as defined in s. 741.28, and shall exempt the parent
798 from this section, including the requirement to post a bond or
799 other security. A parent who is determined by the court to be
800 exempt from the requirements of this section must meet the
801 requirements of s. 787.03(6) if an offense of interference with
802 the parenting plan or time-sharing schedule is committed.

803 Section 7. For the purpose of incorporating the amendment
804 made by this act to section 741.30, Florida Statutes, in a
805 reference thereto, subsection (1) of section 741.29, Florida
806 Statutes, is reenacted to read:

807 741.29 Domestic violence; investigation of incidents;
808 notice to victims of legal rights and remedies; reporting.—

809 (1) Any law enforcement officer who investigates an alleged
810 incident of domestic violence shall assist the victim to obtain
811 medical treatment if such is required as a result of the alleged
812 incident to which the officer responds. Any law enforcement

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813 officer who investigates an alleged incident of domestic
814 violence shall advise the victim of such violence that there is
815 a domestic violence center from which the victim may receive
816 services. The law enforcement officer shall give the victim
817 immediate notice of the legal rights and remedies available on a
818 standard form developed and distributed by the department. As
819 necessary, the department shall revise the Legal Rights and
820 Remedies Notice to Victims to include a general summary of s.
821 741.30 using simple English as well as Spanish, and shall
822 distribute the notice as a model form to be used by all law
823 enforcement agencies throughout the state. The notice shall
824 include:

825 (a) The resource listing, including telephone number, for
826 the area domestic violence center designated by the Department
827 of Children and Families; and

828 (b) A copy of the following statement: "IF YOU ARE THE
829 VICTIM OF DOMESTIC VIOLENCE, you may ask the state attorney to
830 file a criminal complaint. You also have the right to go to
831 court and file a petition requesting an injunction for
832 protection from domestic violence which may include, but need
833 not be limited to, provisions which restrain the abuser from
834 further acts of abuse; direct the abuser to leave your
835 household; prevent the abuser from entering your residence,
836 school, business, or place of employment; award you custody of
837 your minor child or children; and direct the abuser to pay
838 support to you and the minor children if the abuser has a legal
839 obligation to do so."

840 Section 8. For the purpose of incorporating the amendment
841 made by this act to section 741.30, Florida Statutes, in a

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842 reference thereto, subsection (2) of section 741.2902, Florida
843 Statutes, is reenacted to read:

844 741.2902 Domestic violence; legislative intent with respect
845 to judiciary's role.—

846 (2) It is the intent of the Legislature, with respect to
847 injunctions for protection against domestic violence, issued
848 pursuant to s. 741.30, that the court shall:

849 (a) Recognize that the petitioner's safety may require
850 immediate removal of the respondent from their joint residence
851 and that there can be inherent danger in permitting the
852 respondent partial or periodic access to the residence.

853 (b) Ensure that the parties have a clear understanding of
854 the terms of the injunction, the penalties for failure to
855 comply, and that the parties cannot amend the injunction
856 verbally, in writing, or by invitation to the residence.

857 (c) Ensure that the parties have knowledge of legal rights
858 and remedies including, but not limited to, visitation, child
859 support, retrieving property, counseling, and enforcement or
860 modification of the injunction.

861 (d) Consider temporary child support when the pleadings
862 raise the issue and in the absence of other support orders.

863 (e) Consider supervised visitation, withholding visitation,
864 or other arrangements for visitation that will best protect the
865 child and petitioner from harm.

866 (f) Enforce, through a civil or criminal contempt
867 proceeding, a violation of an injunction for protection against
868 domestic violence.

869 (g) Consider requiring the perpetrator to complete a
870 batterers' intervention program. It is preferred that such

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871 program meet the requirements specified in s. 741.325.

872 Section 9. For the purpose of incorporating the amendment
873 made by this act to section 741.30, Florida Statutes, in a
874 reference thereto, paragraph (a) of subsection (4) of section
875 741.31, Florida Statutes, is reenacted to read:

876 741.31 Violation of an injunction for protection against
877 domestic violence.—

878 (4) (a) A person who willfully violates an injunction for
879 protection against domestic violence issued pursuant to s.
880 741.30, or a foreign protection order accorded full faith and
881 credit pursuant to s. 741.315, by:

882 1. Refusing to vacate the dwelling that the parties share;

883 2. Going to, or being within 500 feet of, the petitioner's
884 residence, school, place of employment, or a specified place
885 frequented regularly by the petitioner and any named family or
886 household member;

887 3. Committing an act of domestic violence against the
888 petitioner;

889 4. Committing any other violation of the injunction through
890 an intentional unlawful threat, word, or act to do violence to
891 the petitioner;

892 5. Telephoning, contacting, or otherwise communicating with
893 the petitioner directly or indirectly, unless the injunction
894 specifically allows indirect contact through a third party;

895 6. Knowingly and intentionally coming within 100 feet of
896 the petitioner's motor vehicle, whether or not that vehicle is
897 occupied;

898 7. Defacing or destroying the petitioner's personal
899 property, including the petitioner's motor vehicle; or

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900 8. Refusing to surrender firearms or ammunition if ordered
901 to do so by the court

902
903 commits a misdemeanor of the first degree, punishable as
904 provided in s. 775.082 or s. 775.083, except as provided in
905 paragraph (c).

906 Section 10. For the purpose of incorporating the amendments
907 made by this act to sections 741.30 and 784.046, Florida
908 Statutes, in references thereto, paragraph (a) of subsection (3)
909 of section 61.1825, Florida Statutes, is reenacted to read:

910 61.1825 State Case Registry.—

911 (3) (a) For the purpose of this section, a family violence
912 indicator must be placed on a record when:

913 1. A party executes a sworn statement requesting that a
914 family violence indicator be placed on that party's record which
915 states that the party has reason to believe that release of
916 information to the Federal Case Registry may result in physical
917 or emotional harm to the party or the child; or

918 2. A temporary or final injunction for protection against
919 domestic violence has been granted pursuant to s. 741.30(6), an
920 injunction for protection against domestic violence has been
921 issued by a court of a foreign state pursuant to s. 741.315, or
922 a temporary or final injunction for protection against repeat
923 violence has been granted pursuant to s. 784.046; or

924 3. The department has received information on a Title IV-D
925 case from the Domestic, Dating, Sexual, and Repeat Violence
926 Injunction Statewide Verification System, established pursuant
927 to s. 784.046(8) (b), that a court has granted a party a domestic
928 violence or repeat violence injunction.

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929 Section 11. For the purpose of incorporating the amendments
930 made by this act to sections 741.30 and 784.046, Florida
931 Statutes, in references thereto, subsection (1) of section
932 61.1827, Florida Statutes, is reenacted to read:

933 61.1827 Identifying information concerning applicants for
934 and recipients of child support services.—

935 (1) Any information that reveals the identity of applicants
936 for or recipients of child support services, including the name,
937 address, and telephone number of such persons, held by a non-
938 Title IV-D county child support enforcement agency is
939 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
940 of the State Constitution. The use or disclosure of such
941 information by the non-Title IV-D county child support
942 enforcement agency is limited to the purposes directly connected
943 with:

944 (a) Any investigation, prosecution, or criminal or civil
945 proceeding connected with the administration of any non-Title
946 IV-D county child support enforcement program;

947 (b) Mandatory disclosure of identifying and location
948 information as provided in s. 61.13(7) by the non-Title IV-D
949 county child support enforcement agency when providing non-Title
950 IV-D services;

951 (c) Mandatory disclosure of information as required by ss.
952 409.2577, 61.181, 61.1825, and 61.1826 and Title IV-D of the
953 Social Security Act; or

954 (d) Disclosure to an authorized person, as defined in 45
955 C.F.R. s. 303.15, for purposes of enforcing any state or federal
956 law with respect to the unlawful taking or restraint of a child
957 or making or enforcing a parenting plan. As used in this

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958 paragraph, the term "authorized person" includes a parent with
959 whom the child does not currently reside, unless a court has
960 entered an order under s. 741.30, s. 741.31, or s. 784.046.

961 Section 12. For the purpose of incorporating the amendments
962 made by this act to sections 741.30 and 784.046, Florida
963 Statutes, in references thereto, paragraph (e) of subsection (2)
964 of section 394.4597, Florida Statutes, is reenacted to read:

965 394.4597 Persons to be notified; patient's representative.—

966 (2) INVOLUNTARY PATIENTS.—

967 (e) The following persons are prohibited from selection as
968 a patient's representative:

969 1. A professional providing clinical services to the
970 patient under this part.

971 2. The licensed professional who initiated the involuntary
972 examination of the patient, if the examination was initiated by
973 professional certificate.

974 3. An employee, an administrator, or a board member of the
975 facility providing the examination of the patient.

976 4. An employee, an administrator, or a board member of a
977 treatment facility providing treatment for the patient.

978 5. A person providing any substantial professional services
979 to the patient, including clinical services.

980 6. A creditor of the patient.

981 7. A person subject to an injunction for protection against
982 domestic violence under s. 741.30, whether the order of
983 injunction is temporary or final, and for which the patient was
984 the petitioner.

985 8. A person subject to an injunction for protection against
986 repeat violence, stalking, sexual violence, or dating violence

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987 under s. 784.046, whether the order of injunction is temporary
988 or final, and for which the patient was the petitioner.

989 Section 13. For the purpose of incorporating the amendments
990 made by this act to sections 741.30 and 784.046, Florida
991 Statutes, in references thereto, paragraphs (g) and (h) of
992 subsection (2) of section 394.4598, Florida Statutes, are
993 reenacted to read:

994 394.4598 Guardian advocate.—

995 (2) The following persons are prohibited from appointment
996 as a patient's guardian advocate:

997 (g) A person subject to an injunction for protection
998 against domestic violence under s. 741.30, whether the order of
999 injunction is temporary or final, and for which the patient was
1000 the petitioner.

1001 (h) A person subject to an injunction for protection
1002 against repeat violence, stalking, sexual violence, or dating
1003 violence under s. 784.046, whether the order of injunction is
1004 temporary or final, and for which the patient was the
1005 petitioner.

1006 Section 14. For the purpose of incorporating the amendments
1007 made by this act to sections 741.30 and 784.046, Florida
1008 Statutes, in references thereto, paragraphs (g) and (h) of
1009 subsection (2) of section 397.6978, Florida Statutes, are
1010 reenacted to read:

1011 397.6978 Guardian advocate; patient incompetent to consent;
1012 substance abuse disorder.—

1013 (2) The following persons are prohibited from appointment
1014 as a patient's guardian advocate:

1015 (g) A person subject to an injunction for protection

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1016 against domestic violence under s. 741.30, whether the order of
1017 injunction is temporary or final, and for which the individual
1018 was the petitioner.

1019 (h) A person subject to an injunction for protection
1020 against repeat violence, stalking, sexual violence, or dating
1021 violence under s. 784.046, whether the order of injunction is
1022 temporary or final, and for which the individual was the
1023 petitioner.

1024 Section 15. For the purpose of incorporating the amendments
1025 made by this act to sections 741.30 and 784.046, Florida
1026 Statutes, in references thereto, subsection (4) of section
1027 784.048, Florida Statutes, is reenacted to read:

1028 784.048 Stalking; definitions; penalties.—

1029 (4) A person who, after an injunction for protection
1030 against repeat violence, sexual violence, or dating violence
1031 pursuant to s. 784.046, or an injunction for protection against
1032 domestic violence pursuant to s. 741.30, or after any other
1033 court-imposed prohibition of conduct toward the subject person
1034 or that person's property, knowingly, willfully, maliciously,
1035 and repeatedly follows, harasses, or cyberstalks another person
1036 commits the offense of aggravated stalking, a felony of the
1037 third degree, punishable as provided in s. 775.082, s. 775.083,
1038 or s. 775.084.

1039 Section 16. For the purpose of incorporating the amendments
1040 made by this act to sections 741.30 and 784.046, Florida
1041 Statutes, in references thereto, paragraph (c) of subsection (2)
1042 of section 790.065, Florida Statutes, is reenacted to read:

1043 790.065 Sale and delivery of firearms.—

1044 (2) Upon receipt of a request for a criminal history record

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1045 check, the Department of Law Enforcement shall, during the
1046 licensee's call or by return call, forthwith:

1047 (c)1. Review any records available to it to determine
1048 whether the potential buyer or transferee has been indicted or
1049 has had an information filed against her or him for an offense
1050 that is a felony under either state or federal law, or, as
1051 mandated by federal law, has had an injunction for protection
1052 against domestic violence entered against the potential buyer or
1053 transferee under s. 741.30, has had an injunction for protection
1054 against repeat violence entered against the potential buyer or
1055 transferee under s. 784.046, or has been arrested for a
1056 dangerous crime as specified in s. 907.041(5)(a) or for any of
1057 the following enumerated offenses:

- 1058 a. Criminal anarchy under ss. 876.01 and 876.02.
- 1059 b. Extortion under s. 836.05.
- 1060 c. Explosives violations under s. 552.22(1) and (2).
- 1061 d. Controlled substances violations under chapter 893.
- 1062 e. Resisting an officer with violence under s. 843.01.
- 1063 f. Weapons and firearms violations under this chapter.
- 1064 g. Treason under s. 876.32.
- 1065 h. Assisting self-murder under s. 782.08.
- 1066 i. Sabotage under s. 876.38.
- 1067 j. Stalking or aggravated stalking under s. 784.048.

1068
1069 If the review indicates any such indictment, information, or
1070 arrest, the department shall provide to the licensee a
1071 conditional nonapproval number.

1072 2. Within 24 working hours, the department shall determine
1073 the disposition of the indictment, information, or arrest and

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1074 inform the licensee as to whether the potential buyer is
1075 prohibited from receiving or possessing a firearm. For purposes
1076 of this paragraph, "working hours" means the hours from 8 a.m.
1077 to 5 p.m. Monday through Friday, excluding legal holidays.

1078 3. The office of the clerk of court, at no charge to the
1079 department, shall respond to any department request for data on
1080 the disposition of the indictment, information, or arrest as
1081 soon as possible, but in no event later than 8 working hours.

1082 4. The department shall determine as quickly as possible
1083 within the allotted time period whether the potential buyer is
1084 prohibited from receiving or possessing a firearm.

1085 5. If the potential buyer is not so prohibited, or if the
1086 department cannot determine the disposition information within
1087 the allotted time period, the department shall provide the
1088 licensee with a conditional approval number.

1089 6. If the buyer is so prohibited, the conditional
1090 nonapproval number shall become a nonapproval number.

1091 7. The department shall continue its attempts to obtain the
1092 disposition information and may retain a record of all approval
1093 numbers granted without sufficient disposition information. If
1094 the department later obtains disposition information which
1095 indicates:

1096 a. That the potential buyer is not prohibited from owning a
1097 firearm, it shall treat the record of the transaction in
1098 accordance with this section; or

1099 b. That the potential buyer is prohibited from owning a
1100 firearm, it shall immediately revoke the conditional approval
1101 number and notify local law enforcement.

1102 8. During the time that disposition of the indictment,

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1103 information, or arrest is pending and until the department is
1104 notified by the potential buyer that there has been a final
1105 disposition of the indictment, information, or arrest, the
1106 conditional nonapproval number shall remain in effect.

1107 Section 17. For the purpose of incorporating the amendments
1108 made by this act to sections 741.30 and 784.046, Florida
1109 Statutes, in references thereto, subsections (6), (7), and (13)
1110 of section 901.15, Florida Statutes, are reenacted to read:

1111 901.15 When arrest by officer without warrant is lawful.—A
1112 law enforcement officer may arrest a person without a warrant
1113 when:

1114 (6) There is probable cause to believe that the person has
1115 committed a criminal act according to s. 790.233 or according to
1116 s. 741.31, s. 784.047, or s. 825.1036 which violates an
1117 injunction for protection entered pursuant to s. 741.30, s.
1118 784.046, or s. 825.1035 or a foreign protection order accorded
1119 full faith and credit pursuant to s. 741.315, over the objection
1120 of the petitioner, if necessary.

1121 (7) There is probable cause to believe that the person has
1122 committed an act of domestic violence, as defined in s. 741.28,
1123 or dating violence, as provided in s. 784.046. The decision to
1124 arrest shall not require consent of the victim or consideration
1125 of the relationship of the parties. It is the public policy of
1126 this state to strongly discourage arrest and charges of both
1127 parties for domestic violence or dating violence on each other
1128 and to encourage training of law enforcement and prosecutors in
1129 these areas. A law enforcement officer who acts in good faith
1130 and exercises due care in making an arrest under this
1131 subsection, under s. 741.31(4) or s. 784.047, or pursuant to a

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1132 foreign order of protection accorded full faith and credit
1133 pursuant to s. 741.315, is immune from civil liability that
1134 otherwise might result by reason of his or her action.

1135 (13) There is probable cause to believe that the person has
1136 committed an act that violates a condition of pretrial release
1137 provided in s. 903.047 when the original arrest was for an act
1138 of domestic violence as defined in s. 741.28, or when the
1139 original arrest was for an act of dating violence as defined in
1140 s. 784.046.

1141 Section 18. For the purpose of incorporating the amendments
1142 made by this act to sections 741.30 and 784.046, Florida
1143 Statutes, in references thereto, paragraph (p) of subsection (6)
1144 of section 921.141, Florida Statutes, is reenacted to read:

1145 921.141 Sentence of death or life imprisonment for capital
1146 felonies; further proceedings to determine sentence.—

1147 (6) AGGRAVATING FACTORS.—Aggravating factors shall be
1148 limited to the following:

1149 (p) The capital felony was committed by a person subject to
1150 an injunction issued pursuant to s. 741.30 or s. 784.046, or a
1151 foreign protection order accorded full faith and credit pursuant
1152 to s. 741.315, and was committed against the petitioner who
1153 obtained the injunction or protection order or any spouse,
1154 child, sibling, or parent of the petitioner.

1155 Section 19. For the purpose of incorporating the amendments
1156 made by this act to sections 741.30 and 784.046, Florida
1157 Statutes, in references thereto, paragraph (j) of subsection (7)
1158 of section 921.1425, Florida Statutes, is reenacted to read:

1159 921.1425 Sentence of death or life imprisonment for capital
1160 sexual battery; further proceedings to determine sentence.—

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1161 (7) AGGRAVATING FACTORS.—Aggravating factors shall be
1162 limited to the following:

1163 (j) The capital felony was committed by a person subject to
1164 an injunction issued pursuant to s. 741.30 or s. 784.046, or a
1165 foreign protection order accorded full faith and credit pursuant
1166 to s. 741.315, and was committed against the petitioner who
1167 obtained the injunction or protection order or any spouse,
1168 child, sibling, or parent of the petitioner.

1169 Section 20. For the purpose of incorporating the amendments
1170 made by this act to sections 741.30, 784.046, and 784.0485,
1171 Florida Statutes, in references thereto, paragraphs (a), (b),
1172 and (c) of subsection (8) of section 28.2221, Florida Statutes,
1173 are reenacted to read:

1174 28.2221 Electronic access to official records.—

1175 (8) (a) Each county recorder or clerk of the court must make
1176 the identity of each respondent against whom a final judgment
1177 for an injunction for the protection of a minor under s. 741.30,
1178 s. 784.046, or s. 784.0485 is entered, as well as the fact that
1179 a final judgment for an injunction for the protection of a minor
1180 under s. 741.30, s. 784.046, or s. 784.0485 has been entered
1181 against that respondent, publicly available on an Internet
1182 website for general public display, which may include the
1183 Internet website required by this section, unless the respondent
1184 is a minor.

1185 (b) Any information specified in this subsection not made
1186 available by the county recorder or clerk of the court on a
1187 publicly available Internet website for general public display
1188 before July 1, 2021, must be made publicly available on an
1189 Internet website if the affected party identifies the

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1190 information and requests that such information be added to a
1191 publicly available Internet website for general public display.
1192 Such request must be in writing and delivered by mail,
1193 facsimile, or electronic transmission or in person to the county
1194 recorder or clerk of the court. The request must specify the
1195 case number assigned to the final judgment for an injunction for
1196 the protection of a minor under s. 741.30, s. 784.046, or s.
1197 784.0485. A fee may not be charged for the addition of
1198 information pursuant to such request.

1199 (c) No later than 30 days after July 1, 2021, notice of the
1200 right of any affected party to request the addition of
1201 information to a publicly available Internet website pursuant to
1202 this subsection shall be conspicuously and clearly displayed by
1203 the county recorder or clerk of the court on the publicly
1204 available Internet website on which images or copies of the
1205 county's public records are placed and in the office of each
1206 county recorder or clerk of the court. Such notice must contain
1207 appropriate instructions for making the addition of information
1208 request in person, by mail, by facsimile, or by electronic
1209 transmission. The notice must state, in substantially similar
1210 form, that any person has a right to request that a county
1211 recorder or clerk of the court add information to a publicly
1212 available Internet website if that information involves the
1213 identity of a respondent against whom a final judgment for an
1214 injunction for the protection of a minor under s. 741.30, s.
1215 784.046, or s. 784.0485 is entered, unless the respondent is a
1216 minor. Such request must be made in writing and delivered by
1217 mail, facsimile, or electronic transmission or in person to the
1218 county recorder or clerk of the court. The request must specify

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1219 the case number assigned to the final judgment for an injunction
1220 for the protection of a minor under s. 741.30, s. 784.046, or s.
1221 784.0485. A fee may not be charged for the addition of a
1222 document pursuant to such request.

1223 Section 21. For the purpose of incorporating the amendments
1224 made by this act to sections 741.30, 784.046, and 784.0485,
1225 Florida Statutes, in references thereto, subsection (8) of
1226 section 57.105, Florida Statutes, is reenacted to read:

1227 57.105 Attorney's fee; sanctions for raising unsupported
1228 claims or defenses; exceptions; service of motions; damages for
1229 delay of litigation.—

1230 (8) Attorney fees may not be awarded under this section in
1231 proceedings for an injunction for protection pursuant to s.
1232 741.30, s. 784.046, or s. 784.0485, unless the court finds by
1233 clear and convincing evidence that the petitioner knowingly made
1234 a false statement or allegation in the petition or that the
1235 respondent knowingly made a false statement or allegation in an
1236 asserted defense, with regard to a material matter as defined in
1237 s. 837.011(3).

1238 Section 22. For the purpose of incorporating the amendments
1239 made by this act to sections 741.30, 784.046, and 784.0485,
1240 Florida Statutes, in references thereto, subsection (2) of
1241 section 741.315, Florida Statutes, is reenacted to read:

1242 741.315 Recognition of foreign protection orders.—

1243 (2) Pursuant to 18 U.S.C. s. 2265, an injunction for
1244 protection against domestic violence issued by a court of a
1245 foreign state must be accorded full faith and credit by the
1246 courts of this state and enforced by a law enforcement agency as
1247 if it were the order of a Florida court issued under s. 741.30,

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1248 s. 741.31, s. 784.046, s. 784.047, s. 784.0485, or s. 784.0487,
1249 and provided that the court had jurisdiction over the parties
1250 and the matter and that reasonable notice and opportunity to be
1251 heard was given to the person against whom the order is sought
1252 sufficient to protect that person's right to due process. Ex
1253 parte foreign injunctions for protection are not eligible for
1254 enforcement under this section unless notice and opportunity to
1255 be heard have been provided within the time required by the
1256 foreign state or tribal law, and in any event within a
1257 reasonable time after the order is issued, sufficient to protect
1258 the respondent's due process rights.

1259 Section 23. For the purpose of incorporating the amendments
1260 made by this act to sections 741.30, 784.046, and 784.0485,
1261 Florida Statutes, in references thereto, paragraph (e) of
1262 subsection (2) and paragraphs (c) and (e) of subsection (3) of
1263 section 790.401, Florida Statutes, are reenacted to read:

1264 790.401 Risk protection orders.—

1265 (2) PETITION FOR A RISK PROTECTION ORDER.—There is created
1266 an action known as a petition for a risk protection order.

1267 (e) A petition must:

1268 1. Allege that the respondent poses a significant danger of
1269 causing personal injury to himself or herself or others by
1270 having a firearm or any ammunition in his or her custody or
1271 control or by purchasing, possessing, or receiving a firearm or
1272 any ammunition, and must be accompanied by an affidavit made
1273 under oath stating the specific statements, actions, or facts
1274 that give rise to a reasonable fear of significant dangerous
1275 acts by the respondent;

1276 2. Identify the quantities, types, and locations of all

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1277 firearms and ammunition the petitioner believes to be in the
1278 respondent's current ownership, possession, custody, or control;
1279 and

1280 3. Identify whether there is a known existing protection
1281 order governing the respondent under s. 741.30, s. 784.046, or
1282 s. 784.0485 or under any other applicable statute.

1283 (3) RISK PROTECTION ORDER HEARINGS AND ISSUANCE.—

1284 (c) In determining whether grounds for a risk protection
1285 order exist, the court may consider any relevant evidence,
1286 including, but not limited to, any of the following:

1287 1. A recent act or threat of violence by the respondent
1288 against himself or herself or others, whether or not such
1289 violence or threat of violence involves a firearm.

1290 2. An act or threat of violence by the respondent within
1291 the past 12 months, including, but not limited to, acts or
1292 threats of violence by the respondent against himself or herself
1293 or others.

1294 3. Evidence of the respondent being seriously mentally ill
1295 or having recurring mental health issues.

1296 4. A violation by the respondent of a risk protection order
1297 or a no contact order issued under s. 741.30, s. 784.046, or s.
1298 784.0485.

1299 5. A previous or existing risk protection order issued
1300 against the respondent.

1301 6. A violation of a previous or existing risk protection
1302 order issued against the respondent.

1303 7. Whether the respondent, in this state or any other
1304 state, has been convicted of, had adjudication withheld on, or
1305 pled nolo contendere to a crime that constitutes domestic

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1306 violence as defined in s. 741.28.

1307 8. Whether the respondent has used, or has threatened to
1308 use, against himself or herself or others any weapons.

1309 9. The unlawful or reckless use, display, or brandishing of
1310 a firearm by the respondent.

1311 10. The recurring use of, or threat to use, physical force
1312 by the respondent against another person or the respondent
1313 stalking another person.

1314 11. Whether the respondent, in this state or any other
1315 state, has been arrested for, convicted of, had adjudication
1316 withheld on, or pled nolo contendere to a crime involving
1317 violence or a threat of violence.

1318 12. Corroborated evidence of the abuse of controlled
1319 substances or alcohol by the respondent.

1320 13. Evidence of recent acquisition of firearms or
1321 ammunition by the respondent.

1322 14. Any relevant information from family and household
1323 members concerning the respondent.

1324 15. Witness testimony, taken while the witness is under
1325 oath, relating to the matter before the court.

1326 (e) In a hearing under this section, the rules of evidence
1327 apply to the same extent as in a domestic violence injunction
1328 proceeding under s. 741.30.

1329 Section 24. For the purpose of incorporating the amendments
1330 made by this act to sections 741.30, 784.046, and 784.0485,
1331 Florida Statutes, in references thereto, paragraph (1) of
1332 subsection (2) of section 934.03, Florida Statutes, is reenacted
1333 to read:

1334 934.03 Interception and disclosure of wire, oral, or

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1335 electronic communications prohibited.-

1336 (2)

1337 (1) It is lawful under this section and ss. 934.04-934.09
1338 for a person who is protected under an active temporary or final
1339 injunction for repeat violence, sexual violence, or dating
1340 violence under s. 784.046; stalking under s. 784.0485; domestic
1341 violence under s. 741.30; or any other court-imposed prohibition
1342 of conduct toward the person to intercept and record a wire,
1343 oral, or electronic communication received in violation of such
1344 injunction or court order. A recording authorized under this
1345 paragraph may be provided to a law enforcement agency, an
1346 attorney, or a court for the purpose of evidencing a violation
1347 of an injunction or court order if the subject of the injunction
1348 or court order prohibiting contact has been served the
1349 injunction or is on notice that the conduct is prohibited. A
1350 recording authorized under this paragraph may not be otherwise
1351 disseminated or shared.

1352 Section 25. For the purpose of incorporating the amendments
1353 made by this act to sections 741.30, 784.046, and 784.0485,
1354 Florida Statutes, in references thereto, subsection (3) of
1355 section 934.425, Florida Statutes, is reenacted to read:

1356 934.425 Installation of tracking devices or tracking
1357 applications; exceptions; penalties.-

1358 (3) For purposes of this section, a person's consent is
1359 presumed to be revoked if:

1360 (a) The consenting person and the person to whom consent
1361 was given are lawfully married and one person files a petition
1362 for dissolution of marriage from the other; or

1363 (b) The consenting person or the person to whom consent was

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1364 given files an injunction for protection against the other
1365 person pursuant to s. 741.30, s. 741.315, s. 784.046, or s.
1366 784.0485.

1367 Section 26. For the purpose of incorporating the amendments
1368 made by this act to sections 741.30 and 784.0485, Florida
1369 Statutes, in references thereto, subsection (1) of section
1370 790.233, Florida Statutes, is reenacted to read:

1371 790.233 Possession of firearm or ammunition prohibited when
1372 person is subject to an injunction against committing acts of
1373 domestic violence, stalking, or cyberstalking; penalties.—

1374 (1) A person may not have in his or her care, custody,
1375 possession, or control any firearm or ammunition if the person
1376 has been issued a final injunction that is currently in force
1377 and effect, restraining that person from committing acts of
1378 domestic violence, as issued under s. 741.30 or from committing
1379 acts of stalking or cyberstalking, as issued under s. 784.0485.

1380 Section 27. For the purpose of incorporating the amendment
1381 made by this act to section 784.046, Florida Statutes, in a
1382 reference thereto, subsection (1) of section 784.047, Florida
1383 Statutes, is reenacted to read:

1384 784.047 Penalties for violating protective injunction
1385 against violators.—

1386 (1) A person who willfully violates an injunction for
1387 protection against repeat violence, sexual violence, or dating
1388 violence, issued pursuant to s. 784.046, or a foreign protection
1389 order accorded full faith and credit pursuant to s. 741.315 by:

1390 (a) Refusing to vacate the dwelling that the parties share;
1391 (b) Going to, or being within 500 feet of, the petitioner's
1392 residence, school, place of employment, or a specified place

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1393 frequented regularly by the petitioner and any named family or
1394 household member;

1395 (c) Committing an act of repeat violence, sexual violence,
1396 or dating violence against the petitioner;

1397 (d) Committing any other violation of the injunction
1398 through an intentional unlawful threat, word, or act to do
1399 violence to the petitioner;

1400 (e) Telephoning, contacting, or otherwise communicating
1401 with the petitioner directly or indirectly, unless the
1402 injunction specifically allows indirect contact through a third
1403 party;

1404 (f) Knowingly and intentionally coming within 100 feet of
1405 the petitioner's motor vehicle, whether or not that vehicle is
1406 occupied;

1407 (g) Defacing or destroying the petitioner's personal
1408 property, including the petitioner's motor vehicle; or

1409 (h) Refusing to surrender firearms or ammunition if ordered
1410 to do so by the court,

1411
1412 commits a misdemeanor of the first degree, punishable as
1413 provided in s. 775.082 or s. 775.083, except as provided in
1414 subsection (2).

1415 Section 28. For the purpose of incorporating the amendment
1416 made by this act to section 784.0485, Florida Statutes, in a
1417 reference thereto, paragraph (a) of subsection (4) of section
1418 784.0487, Florida Statutes, is reenacted to read:

1419 784.0487 Violation of an injunction for protection against
1420 stalking or cyberstalking.—

1421 (4) (a) A person who willfully violates an injunction for

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1422 protection against stalking or cyberstalking issued pursuant to
1423 s. 784.0485, or a foreign protection order accorded full faith
1424 and credit pursuant to s. 741.315, by:

1425 1. Going to, or being within 500 feet of, the petitioner's
1426 residence, school, place of employment, or a specified place
1427 frequented regularly by the petitioner and any named family
1428 members or individuals closely associated with the petitioner;

1429 2. Committing an act of stalking against the petitioner;

1430 3. Committing any other violation of the injunction through
1431 an intentional unlawful threat, word, or act to do violence to
1432 the petitioner;

1433 4. Telephoning, contacting, or otherwise communicating with
1434 the petitioner, directly or indirectly, unless the injunction
1435 specifically allows indirect contact through a third party;

1436 5. Knowingly and intentionally coming within 100 feet of
1437 the petitioner's motor vehicle, whether or not that vehicle is
1438 occupied;

1439 6. Defacing or destroying the petitioner's personal
1440 property, including the petitioner's motor vehicle; or

1441 7. Refusing to surrender firearms or ammunition if ordered
1442 to do so by the court,

1443
1444 commits a misdemeanor of the first degree, punishable as
1445 provided in s. 775.082 or s. 775.083, except as provided in
1446 paragraph (b).

1447 Section 29. This act shall take effect July 1, 2024.