

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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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.

591-02982-24

2024852c1

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:

591-02982-24

2024852c1

88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116

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

591-02982-24

2024852c1

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)...

138 .....  
139 .....

140 ....committed 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.

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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

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

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

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

183  
184 ....Petitioner 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)...

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

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

196 ....Awarding 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.

199 ....Providing 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.

591-02982-24

2024852c1

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

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



591-02982-24

2024852c1

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

591-02982-24

2024852c1

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.

591-02982-24

2024852c1

291  
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

591-02982-24

2024852c1

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.

591-02982-24

2024852c1

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:

591-02982-24

2024852c1

378  
379  
380  
381  
382  
383  
384  
385  
386  
387  
388  
389  
390  
391  
392  
393  
394  
395  
396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406

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

591-02982-24

2024852c1

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)...

414  
 415 .....  
 416 .....  
 417 .....

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

591-02982-24

2024852c1

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



591-02982-24

2024852c1

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

591-02982-24

2024852c1

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:

591-02982-24

2024852c1

- 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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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)...

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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



591-02982-24

2024852c1

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,

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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.

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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.



591-02982-24

2024852c1

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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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,

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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.—



591-02982-24

2024852c1

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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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,

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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

591-02982-24

2024852c1

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



591-02982-24

2024852c1

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

591-02982-24

2024852c1

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.