

By the Committee on Judiciary; and Senators Book and Polsky

590-01980-24

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1 A bill to be entitled
2 An act relating to Hope Cards for persons issued
3 orders of protection; creating s. 741.311, F.S.;
4 requiring the Florida Association of Court Clerks,
5 Inc., to develop the Hope Card Program; authorizing
6 the association to consult with specified entities to
7 develop and implement the program; authorizing the
8 association to seek federal grants and private
9 donations to defray the cost of the program;
10 authorizing certain persons to apply for a Hope Card
11 after a specified date; requiring the association to
12 develop a uniform application for use by the clerks of
13 the circuit court; requiring that applications for a
14 Hope Card be available online and in clerks' offices;
15 requiring the clerk of the circuit court, within a
16 specified timeframe after receipt of an application,
17 to either create the Hope Card or electronically
18 transmit the application to the association for
19 creation of the card; requiring that the delivery or
20 mailing of the Hope Card be within a specified
21 timeframe; prohibiting the assessment of a fee to a
22 Hope Card applicant; providing requirements for the
23 Hope Card; amending s. 741.315, F.S.; authorizing a
24 person protected by an injunction for protection
25 issued by a court of a foreign state to apply for and
26 receive a Hope Card even if the person does not
27 register the order for protection in this state;
28 amending ss. 741.30, 784.046, 784.0485, and 825.1035,
29 F.S.; conforming provisions to changes made by the

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30 act; providing an effective date.

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32 Be It Enacted by the Legislature of the State of Florida:

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34 Section 1. Section 741.311, Florida Statutes, is created to
35 read:

36 741.311 Hope Card Program for persons issued orders of
37 protection.-

38 (1) The Florida Association of Court Clerks, Inc., shall
39 develop the Hope Card Program, which provides for the issuance
40 of a Hope Card to any person who has been issued an order of
41 protection by a circuit court in this state, or by a court of a
42 foreign state pursuant to s. 741.315. The Florida Association of
43 Court Clerks, Inc., may consult with the Office of the State
44 Courts Administrator, the Attorney General, the Department of
45 Children and Families, and other interested agencies and private
46 entities to develop and implement the program. The association
47 may seek federal grants and private donations to defray the cost
48 of the program.

49 (2) Beginning July 1, 2024, a person who has been issued a
50 final judgment on injunction for protection under s. 741.30, s.
51 784.046, s. 784.0485, or s. 825.1035 may apply for a Hope Card
52 with the clerk of the court of the circuit where the petition
53 for an injunction for protection was initially filed. A person
54 protected by a foreign protection order under s. 741.315 may
55 submit an application for a Hope Card to any clerk of the court
56 in this state. A person may apply for a Hope Card at the time
57 the final judgment on injunction for protection is issued or at
58 any other time before the expiration of the order of protection.

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59 (3) The Florida Association of Court Clerks, Inc., shall
60 develop a uniform application for use by the clerks of the
61 circuit court. Hope Card applications must be available on the
62 website of each clerk of the circuit court, and paper
63 applications must also be available at the clerk's office.

64 (4) Not later than the end of the next business day after
65 receipt of an application, the clerk of the circuit court shall
66 either create the Hope Card or electronically transmit the
67 application to the Florida Association of Court Clerks, Inc.,
68 for creation of the Hope Card. The Hope Card must be delivered
69 to the petitioner or deposited in the mail not later than the
70 end of the next business day after the card is created.

71 (5) The Florida Association of Court Clerks, Inc., or a
72 clerk of the circuit court, may not assess a fee to the
73 applicant for the issuance of a Hope Card.

74 (6) A Hope Card issued under the program must be a durable,
75 laminated card, 3.375 inches wide by 2.125 inches high,
76 containing all of the following information:

77 (a) The respondent's name, date of birth, height, weight,
78 sex, race, eye color, hair color, and any other distinguishing
79 features or characteristics of the respondent.

80 (b) The petitioner's name and date of birth and the names
81 and dates of birth of any minor children protected under the
82 order.

83 (c) The name and date of birth, if applicable, of any other
84 person or animal protected under the order.

85 (d) Pertinent information about the order of protection,
86 including, but not limited to, the issuing court; the case
87 number; the date the order of protection was issued; the

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88 expiration date, if any, of the order of protection; the
89 locations from which the respondent is restrained; and any other
90 relevant details of the order.

91 Section 2. Present subsections (4), (5), and (6) of section
92 741.315, Florida Statutes, are renumbered as subsections (5),
93 (6), and (7), respectively, and a new subsection (4) is added to
94 that section, to read:

95 741.315 Recognition of foreign protection orders.—

96 (4) A person protected by an injunction for protection
97 issued by a court of a foreign state may apply for a Hope Card
98 under s. 741.311, as if the order of protection was issued by a
99 Florida court. Failure to register a foreign order does not
100 preclude a protected person from applying and receiving a Hope
101 Card.

102 Section 3. Paragraph (d) is added to subsection (8) of
103 section 741.30, Florida Statutes, to read:

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

108 (8)

109 (d) The petitioner may apply for a Hope Card under s.
110 741.311 after the court has issued a final order of protection.

111 Section 4. Paragraph (d) is added to subsection (8) of
112 section 784.046, Florida Statutes, to read:

113 784.046 Action by victim of repeat violence, sexual
114 violence, or dating violence for protective injunction; dating
115 violence investigations, notice to victims, and reporting;
116 pretrial release violations; public records exemption.—

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117 (8)

118 (d) The petitioner may apply for a Hope Card under s.
119 741.311 after the court has issued a final order of protection.

120 Section 5. Paragraph (c) is added to subsection (8) of
121 section 784.0485, Florida Statutes, to read:

122 784.0485 Stalking; injunction; powers and duties of court
123 and clerk; petition; notice and hearing; temporary injunction;
124 issuance of injunction; statewide verification system;
125 enforcement.—

126 (8)

127 (c) The petitioner may apply for a Hope Card under s.
128 741.311 after the court has issued a final order of protection.

129 Section 6. Paragraph (c) is added to subsection (10) of
130 section 825.1035, Florida Statutes, to read:

131 825.1035 Injunction for protection against exploitation of
132 a vulnerable adult.—

133 (10) TRANSMITTAL TO SHERIFF; SERVICE; HOPE CARD.—

134 (c) The petitioner may apply for a Hope Card under s.
135 741.311 after the court has issued a final order of protection.

136 Section 7. This act shall take effect July 1, 2024.