

By Senator Calatayud

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Verification System; revising the injunctions required to be maintained in the system; revising the circumstances under which the clerk of the court must mail or e-mail certified copies of certain orders to the parties; requiring the court, upon the filing of a petition, to review the petition ex parte and set a final hearing at the earliest possible time under certain circumstances; making technical and conforming changes; amending s. 784.046, F.S.; prohibiting a court from issuing mutual orders of protection; revising the required forms, motions, and information the clerks of the court must provide to assist petitioners unrepresented by counsel; requiring that a respondent be personally served by a law enforcement officer if a final hearing is set; requiring that a court's denial of a petition for an ex parte temporary injunction be by certain written order; specifying that good cause for a continuance includes obtaining service of process by any party; requiring that all specified proceedings be recorded; requiring a respondent, within 1 business day after being served, to file a designation of his or her mailing or e-mail address with the clerk of the court for subsequent service; revising the circumstances under which the clerk of the court must mail or e-mail certified copies of certain orders to the parties; specifying that service by mail or e-mail is complete upon mailing or e-mailing; requiring the clerk of the court to prepare a certain written certification when a

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59 certain order is served by the clerk; revising the
60 name of the Domestic and Repeat Violence Injunction
61 Statewide Verification System created within the
62 Department of Law Enforcement to the Statewide
63 Injunction Verification System; revising the
64 injunctions required to be maintained in the system;
65 specifying the circumstances under which the clerk of
66 the court must mail or e-mail certified copies of
67 certain injunction orders to the parties; specifying
68 that service by mail or e-mail is complete upon
69 mailing or e-mailing; providing requirements regarding
70 service of process; making technical and conforming
71 changes; amending s. 784.0485, F.S.; revising the
72 required forms, motions, and information all clerk of
73 the court offices must provide to assist petitioners;
74 requiring the court, upon the filing of a petition for
75 an injunction for protection against stalking, to
76 review the petition ex parte and set a final hearing
77 at the earliest possible time under certain
78 circumstances; requiring that a respondent be
79 personally served by a law enforcement officer if a
80 final hearing is set; revising what the clerk of the
81 court, within a specified timeframe after the court
82 sets the case for a final hearing, is required to
83 transmit to the sheriff or a law enforcement agency
84 for service; requiring a respondent, within 1 business
85 day after being served, to file a designation of his
86 or her mailing or e-mail address with the clerk of the
87 court for subsequent service; revising the

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88 circumstances under which the clerk of the court must
89 mail or e-mail certified copies of certain orders to
90 the parties; specifying that service by e-mail is
91 complete upon e-mailing; specifying the circumstances
92 under which the clerk of the court must mail or e-mail
93 certified copies of certain orders to the parties;
94 specifying that service by mail or e-mail is complete
95 upon mailing or e-mailing; requiring the clerk of the
96 court to prepare a certain written certification when
97 a certain order is served by the clerk; making
98 technical and conforming changes; amending ss. 61.1825
99 and 943.05, F.S.; conforming provisions to changes
100 made by the act; reenacting ss. 39.504(5),
101 44.407(3)(b), 61.125(4)(b), and 741.29(1), F.S.,
102 relating to injunctions and penalties, the elder-
103 focused dispute resolution process, parenting
104 coordination, and investigation of domestic violence
105 incidents, respectively, to incorporate the amendment
106 made to s. 741.30, F.S., in references thereto;
107 providing an effective date.
108

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

110
111 Section 1. Section 741.30, Florida Statutes, is amended to
112 read:

113 741.30 Domestic violence; injunction; powers and duties of
114 court and clerk; petition; notice and hearing; temporary
115 injunction; issuance of injunction; Statewide Injunction
116 Verification System; enforcement; public records exemption.—

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

119 (a) Any person described in paragraph (e), who is either
120 the victim of domestic violence as defined in s. 741.28 or has
121 reasonable cause to believe he or she is in imminent danger of
122 becoming the victim of any act of domestic violence, has
123 standing in the circuit court to file a verified petition for an
124 injunction for protection against domestic violence.

125 (b) This cause of action for an injunction may be sought
126 whether or not any other cause of action is currently pending
127 between the parties. However, the pendency of any such cause of
128 action shall be alleged in the petition.

129 (c) In the event a subsequent cause of action is filed
130 under chapter 61, any orders entered therein shall take
131 precedence over any inconsistent provisions of an injunction
132 issued under this section which addresses matters governed by
133 chapter 61.

134 (d) A person's right to petition for an injunction shall
135 not be affected by such person having left a residence or
136 household to avoid domestic violence.

137 (e) This cause of action for an injunction may be sought by
138 family or household members. No person shall be precluded from
139 seeking injunctive relief pursuant to this chapter solely on the
140 basis that such person is not a spouse.

141 (f) This cause of action for an injunction shall not
142 require that either party be represented by an attorney.

143 (g) Any person, including an officer of the court, who
144 offers evidence or recommendations relating to the cause of
145 action must either present the evidence or recommendations in

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146 writing to the court with copies to each party and their
147 attorney, or must present the evidence under oath at a hearing
148 at which all parties are present.

149 (h) Nothing in this section shall affect the title to any
150 real estate.

151 (i) The court is prohibited from issuing mutual orders of
152 protection. This does not preclude the court from issuing
153 separate injunctions for protection against domestic violence
154 where each party has complied with the provisions of this
155 section. Compliance with the provisions of this section cannot
156 be waived.

157 (j) Notwithstanding any provision of chapter 47, a petition
158 for an injunction for protection against domestic violence may
159 be filed in the circuit where the petitioner currently or
160 temporarily resides, where the respondent resides, or where the
161 domestic violence occurred. There is no minimum requirement of
162 residency to petition for an injunction for protection.

163 (2) (a) Notwithstanding any other law, the assessment of a
164 filing fee for a petition for protection against domestic
165 violence is prohibited. However, subject to legislative
166 appropriation, the clerk of the circuit court may, on a
167 quarterly basis, submit to the Justice Administrative Commission
168 a certified request for reimbursement for petitions for
169 protection against domestic violence issued by the court, at the
170 rate of \$40 per petition. The request for reimbursement must be
171 submitted in the form and manner prescribed by the Justice
172 Administrative Commission. From this reimbursement, the clerk
173 shall pay any law enforcement agency serving the injunction the
174 fee requested by the law enforcement agency; however, this fee

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175 may not exceed \$20.

176 (b) No bond shall be required by the court for the entry of
177 an injunction.

178 (c)1. The clerk of the court shall assist petitioners in
179 seeking both injunctions for protection against domestic
180 violence and enforcement for a violation thereof as specified in
181 this section.

182 2. All clerks' offices shall provide simplified petition
183 forms for the injunction, any motion for modifications, any
184 motion for and the enforcement thereof, and a designation of
185 mailing and e-mail addresses for service, including instructions
186 for completion.

187 3. The clerk of the court shall advise petitioners of the
188 opportunity to apply for a certificate of indigence in lieu of
189 prepayment for the cost of the filing fee, as provided in
190 paragraph (a).

191 4. The clerk of the court shall ensure the petitioner's
192 privacy to the extent practical while completing the forms for
193 injunctions for protection against domestic violence.

194 5. The clerk of the court shall provide petitioners with a
195 minimum of two certified copies of the order of the temporary
196 injunction, one of which is serviceable and will inform the
197 petitioner of the process for service and enforcement.

198 6. Clerks of court and appropriate staff in each county
199 shall receive training in the effective assistance of
200 petitioners as provided or approved by the Florida Association
201 of Court Clerks.

202 7. The clerk of the court in each county shall make
203 available informational brochures on domestic violence when such

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204 brochures are provided by local certified domestic violence
205 centers.

206 8. The clerk of the court in each county shall distribute a
207 statewide uniform informational brochure to petitioners at the
208 time of filing for an injunction for protection against domestic
209 ~~or repeat~~ violence when such brochures become available. The
210 brochure must include information about the effect of giving the
211 court false information about domestic violence.

212 (3) (a) The verified petition must allege the existence of
213 such domestic violence and must include the specific facts and
214 circumstances upon the basis of which relief is sought.

215 (b) The verified petition shall be in substantially the
216 following form:

PETITION FOR
INJUNCTION FOR PROTECTION
AGAINST DOMESTIC VIOLENCE

222 The undersigned petitioner ... (name) ... declares under penalties
223 of perjury that the following statements are true:

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

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

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

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

232 (d) Physical description of respondent:

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233 Race.....

234 Sex.....

235 Date of birth.....

236 Height.....

237 Weight.....

238 Eye color.....

239 Hair color.....

240 Distinguishing marks or scars.....

241 (e) Aliases of respondent:

242 (f) Respondent is the spouse or former spouse of the
243 petitioner or is any other person related by blood or marriage
244 to the petitioner or is any other person who is or was residing
245 within a single dwelling unit with the petitioner, as if a
246 family, or is a person with whom the petitioner has a child in
247 common, regardless of whether the petitioner and respondent are
248 or were married or residing together, as if a family.

249 (g) The following describes any other cause of action
250 currently pending between the petitioner and respondent:.....
251

252 The petitioner should also describe any previous or pending
253 attempts by the petitioner to obtain an injunction for
254 protection against domestic violence in this or any other
255 circuit, and the results of that attempt:.....
256

257 Case numbers should be included if available.

258 (h) Petitioner is either a victim of domestic violence or
259 has reasonable cause to believe he or she is in imminent danger
260 of becoming a victim of domestic violence because respondent
261 has: ... (mark all sections that apply and describe in the spaces

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262 below the incidents of violence or threats of violence,
263 specifying when and where they occurred, including, but not
264 limited to, locations such as a home, school, place of
265 employment, or visitation exchange) ...

266

267

268committed or threatened to commit domestic violence
269 defined in s. 741.28, Florida Statutes, as any assault,
270 aggravated assault, battery, aggravated battery, sexual assault,
271 sexual battery, stalking, aggravated stalking, kidnapping, false
272 imprisonment, or any criminal offense resulting in physical
273 injury or death of one family or household member by another.
274 With the exception of persons who are parents of a child in
275 common, the family or household members must be currently
276 residing or have in the past resided together in the same single
277 dwelling unit.

278previously threatened, harassed, stalked, or physically
279 abused the petitioner.

280attempted to harm the petitioner or family members or
281 individuals closely associated with the petitioner.

282threatened to conceal, kidnap, or harm the petitioner's
283 child or children.

284intentionally injured or killed a family pet.

285used, or has threatened to use, against the petitioner
286 any weapons such as guns or knives.

287physically restrained the petitioner from leaving the
288 home or calling law enforcement.

289a criminal history involving violence or the threat of
290 violence (if known).

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

293 destroyed personal property, including, but not limited
294 to, telephones or other communication equipment, clothing, or
295 other items belonging to the petitioner.

296 engaged in a pattern of abusive, threatening,
297 intimidating, or controlling behavior composed of a series of
298 acts over a period of time, however short.

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

302 (i) Petitioner alleges the following additional specific
303 facts: ... (mark appropriate sections) ...

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

307 Petitioner needs the exclusive use and possession of
308 the dwelling that the parties share.

309 Petitioner is unable to obtain safe alternative housing
310 because:

312 Petitioner genuinely fears that respondent imminently
313 will abuse, remove, or hide the minor child or children from
314 petitioner because:

316 (j) Petitioner genuinely fears imminent domestic violence
317 by respondent.

318 (k) Petitioner seeks an injunction: ... (mark appropriate
319 section or sections) ...

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320 Immediately restraining the respondent from committing
321 any acts of domestic violence.

322 Restraining the respondent from committing any acts of
323 domestic violence.

324 Awarding to the petitioner the temporary exclusive use
325 and possession of the dwelling that the parties share or
326 excluding the respondent from the residence of the petitioner.

327 Providing a temporary parenting plan, including a
328 temporary time-sharing schedule, with regard to the minor child
329 or children of the parties which might involve prohibiting or
330 limiting time-sharing or requiring that it be supervised by a
331 third party.

332 Designating that the exchange of the minor child or
333 children of the parties must occur at a neutral safe exchange
334 location as provided in s. 125.01(8) or a location authorized by
335 a supervised visitation program as defined in s. 753.01 if
336 temporary time-sharing of the child is awarded to the
337 respondent.

338 Establishing temporary support for the minor child or
339 children or the petitioner.

340 Directing the respondent to participate in a batterers'
341 intervention program.

342 Providing any terms the court deems necessary for the
343 protection of a victim of domestic violence, or any minor
344 children of the victim, including any injunctions or directives
345 to law enforcement agencies.

346
347 (c) Every petition for an injunction against domestic
348 violence must contain, directly above the signature line, a

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349 statement in all capital letters and bold type not smaller than
350 the surrounding text, as follows:

351

352 UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ
353 THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT
354 ARE TRUE. I UNDERSTAND THAT THE STATEMENTS MADE IN
355 THIS PETITION ARE BEING MADE UNDER PENALTIES OF
356 PERJURY, PUNISHABLE AS PROVIDED IN SECTION 92.525,
357 FLORIDA STATUTES.

358

359 . . . (initials) . . .

360

361 (d) If the verified petition seeks to determine a parenting
362 plan and time-sharing schedule with regard to the minor child or
363 children of the parties, the verified petition must be
364 accompanied by or must incorporate the allegations required by
365 s. 61.522 of the Uniform Child Custody Jurisdiction and
366 Enforcement Act.

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378 (5) (a) Upon review of the petition, if it appears to the
379 court that an immediate and present danger of domestic violence
380 exists, the court may grant a temporary injunction *ex parte*,
381 pending a final full hearing, and may grant such relief as the
382 court deems proper, including an injunction:

383 1. Restraining the respondent from committing any acts of
384 domestic violence.

385 2. Awarding to the petitioner the temporary exclusive use
386 and possession of the dwelling that the parties share or
387 excluding the respondent from the residence of the petitioner.

388 3. On the same basis as provided in s. 61.13, providing the
389 petitioner a temporary parenting plan, including a time-sharing
390 schedule, which may award the petitioner up to 100 percent of
391 the time-sharing. If temporary time-sharing is awarded to the
392 respondent, the exchange of the child must occur at a neutral
393 safe exchange location as provided in s. 125.01(8) or a location
394 authorized by a supervised visitation program as defined in s.
395 753.01 if the court determines it is in the best interests of
396 the child after consideration of all of the factors specified in
397 s. 61.13(3). The temporary parenting plan remains in effect
398 until the order expires or an order is entered by a court of
399 competent jurisdiction in a pending or subsequent civil action
400 or proceeding affecting the placement of, access to, parental
401 time with, adoption of, or parental rights and responsibilities
402 for the minor child.

403 4. If the petitioner and respondent have an existing
404 parenting plan or time-sharing schedule under another court
405 order, designating that the exchange of the minor child or
406 children of the parties must occur at a neutral safe exchange

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407 location as provided in s. 125.01(8) or a location authorized by
408 a supervised visitation program as defined in s. 753.01 if the
409 court determines it is in the best interests of the child after
410 consideration of all of the factors specified in s. 61.13(3).

411 5. Awarding to the petitioner the temporary exclusive care,
412 possession, or control of an animal that is owned, possessed,
413 harbored, kept, or held by the petitioner, the respondent, or a
414 minor child residing in the residence or household of the
415 petitioner or respondent. The court may order the respondent to
416 temporarily have no contact with the animal and prohibit the
417 respondent from taking, transferring, encumbering, concealing,
418 harming, or otherwise disposing of the animal. This subparagraph
419 does not apply to an animal owned primarily for a bona fide
420 agricultural purpose, as defined under s. 193.461, or to a
421 service animal, as defined under s. 413.08, if the respondent is
422 the service animal's handler.

423 (b) Except as provided in s. 90.204, in an ex parte review
424 or an a-hearing ex parte hearing for the purpose of obtaining
425 such ex parte temporary injunction, no evidence other than
426 verified pleadings or affidavits shall be used as evidence,
427 unless the respondent appears at the hearing or has received
428 reasonable notice of the hearing. A denial of a petition for an
429 ex parte temporary injunction shall be by written order noting
430 the legal grounds for denial. When the only ground for denial is
431 no appearance of an immediate and present danger of domestic
432 violence, the court shall set a final full hearing on the
433 petition for injunction with notice at the earliest possible
434 time. Nothing herein affects a petitioner's right to promptly
435 amend any petition, or otherwise be heard in person on any

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436 petition consistent with the Florida Rules of Civil Procedure.

437 (c) Any such ex parte temporary injunction shall be
438 effective for a fixed period not to exceed 15 days. A final full
439 hearing, as provided by this section, shall be set for a date no
440 later than the date when the temporary injunction ceases to be
441 effective. The court may grant a continuance of the hearing
442 before or during a hearing for good cause shown by any party,
443 which shall include a continuance to obtain service of process.
444 Any injunction shall be extended if necessary to remain in full
445 force and effect during any period of continuance.

446 (6) (a) Upon notice and final hearing, when it appears to
447 the court that the petitioner is either the victim of domestic
448 violence as defined by s. 741.28 or has reasonable cause to
449 believe he or she is in imminent danger of becoming a victim of
450 domestic violence, the court may grant such relief as the court
451 deems proper, including an injunction:

452 1. Restraining the respondent from committing any acts of
453 domestic violence.

454 2. Awarding to the petitioner the exclusive use and
455 possession of the dwelling that the parties share or excluding
456 the respondent from the residence of the petitioner.

457 3. On the same basis as provided in chapter 61, providing
458 the petitioner with 100 percent of the time-sharing in a
459 temporary parenting plan that remains in effect until the order
460 expires or an order is entered by a court of competent
461 jurisdiction in a pending or subsequent civil action or
462 proceeding affecting the placement of, access to, parental time
463 with, adoption of, or parental rights and responsibilities for
464 the minor child.

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465 4. If the petitioner and respondent have an existing
466 parenting plan or time-sharing schedule under another court
467 order, designating that the exchange of the minor child or
468 children of the parties must occur at a neutral safe exchange
469 location as provided in s. 125.01(8) or a location authorized by
470 a supervised visitation program as defined in s. 753.01 if the
471 court determines it is in the best interests of the child after
472 consideration of all of the factors specified in s. 61.13(3).

473 5. On the same basis as provided in chapter 61,
474 establishing temporary support for a minor child or children or
475 the petitioner. An order of temporary support remains in effect
476 until the order expires or an order is entered by a court of
477 competent jurisdiction in a pending or subsequent civil action
478 or proceeding affecting child support.

479 6. Ordering the respondent to participate in treatment,
480 intervention, or counseling services to be paid for by the
481 respondent. When the court orders the respondent to participate
482 in a batterers' intervention program, the court, or any entity
483 designated by the court, must provide the respondent with a list
484 of batterers' intervention programs from which the respondent
485 must choose a program in which to participate.

486 7. Referring a petitioner to a certified domestic violence
487 center. The court must provide the petitioner with a list of
488 certified domestic violence centers in the circuit which the
489 petitioner may contact.

490 8. Awarding to the petitioner the exclusive care,
491 possession, or control of an animal that is owned, possessed,
492 harbored, kept, or held by the petitioner, the respondent, or a
493 minor child residing in the residence or household of the

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494 petitioner or respondent. The court may order the respondent to
495 have no contact with the animal and prohibit the respondent from
496 taking, transferring, encumbering, concealing, harming, or
497 otherwise disposing of the animal. This subparagraph does not
498 apply to an animal owned primarily for a bona fide agricultural
499 purpose, as defined under s. 193.461, or to a service animal, as
500 defined under s. 413.08, if the respondent is the service
501 animal's handler.

502 9. Ordering such other relief as the court deems necessary
503 for the protection of a victim of domestic violence, including
504 injunctions or directives to law enforcement agencies, as
505 provided in this section.

506 (b) In determining whether a petitioner has reasonable
507 cause to believe he or she is in imminent danger of becoming a
508 victim of domestic violence, the court shall consider and
509 evaluate all relevant factors alleged in the petition,
510 including, but not limited to:

511 1. The history between the petitioner and the respondent,
512 including threats, harassment, stalking, strangulation, or other
513 and physical abuse.

514 2. Whether the respondent has attempted to harm the
515 petitioner or family members or individuals closely associated
516 with the petitioner.

517 3. Whether the respondent has threatened to conceal,
518 kidnap, or harm the petitioner's child or children.

519 4. Whether the respondent has intentionally injured or
520 killed a family pet.

521 5. Whether the respondent has used, or has threatened to
522 use, against the petitioner any weapons such as guns or knives.

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523 6. Whether the respondent has physically restrained the
524 petitioner from leaving the home or calling law enforcement.

525 7. Whether the respondent has a criminal history involving
526 violence or the threat of violence.

527 8. The existence of a verifiable order of protection issued
528 previously or from another jurisdiction.

529 9. Whether the respondent has destroyed personal property,
530 including, but not limited to, telephones or other
531 communications equipment, clothing, or other items belonging to
532 the petitioner.

533 10. Whether the respondent has or had engaged in a pattern
534 of abusive, threatening, intimidating, or controlling behavior
535 composed of a series of acts over a period of time, however
536 short, which evidences a continuity of purpose and which
537 reasonably causes the petitioner to believe that the petitioner
538 or his or her minor child or children are in imminent danger of
539 becoming victims of any act of domestic violence.

540 11. Whether the respondent engaged in any other behavior or
541 conduct that leads the petitioner to have reasonable cause to
542 believe that he or she is in imminent danger of becoming a
543 victim of domestic violence.

544
545 In making its determination under this paragraph, the court is
546 not limited to those factors enumerated in subparagraphs 1.-11.

547 (c) The terms of an injunction restraining the respondent
548 under subparagraph (a)1. or ordering other relief for the
549 protection of the victim under subparagraph (a)9. shall remain
550 in effect until modified or dissolved. Either party may move at
551 any time to modify or dissolve the injunction. No specific

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552 allegations are required. Such relief may be granted in addition
553 to other civil or criminal remedies.

554 (d) A temporary or final ~~judgment~~ injunction for
555 protection against domestic violence entered under this section
556 shall, on its face, indicate that:

557 1. The injunction is valid and enforceable in all counties
558 of the State of Florida.

559 2. Law enforcement officers may use their arrest powers
560 under s. 901.15(6) to enforce the terms of the injunction.

561 3. The court had jurisdiction over the parties and matter
562 under the laws of Florida and that reasonable notice and
563 opportunity to be heard was given to the person against whom the
564 order is sought sufficient to protect that person's right to due
565 process.

566 4. The date the respondent was served with the temporary or
567 final order, if obtainable.

568 (e) An injunction for protection against domestic violence
569 entered under this section, on its face, may order that the
570 respondent attend a batterers' intervention program as a
571 condition of the injunction. Unless the court makes written
572 factual findings in its judgment or order which are based on
573 substantial evidence, stating why batterers' intervention
574 programs would be inappropriate, the court shall order the
575 respondent to attend a batterers' intervention program if:

576 1. It finds that the respondent willfully violated the
577 temporary ex parte injunction;

578 2. The respondent, in this state or any other state, has
579 been convicted of, had adjudication withheld on, or pled nolo
580 contendere to a crime involving violence or a threat of

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581 violence; or

582 3. The respondent, in this state or any other state, has
583 had at any time a prior injunction for protection entered
584 against the respondent after a hearing with notice.585 (f) The fact that a separate order of protection is granted
586 to each opposing party is not legally sufficient to deny any
587 remedy to either party or to prove that the parties are equally
588 at fault or equally endangered.589 (g) A final ~~judgment~~ on injunction for protection against
590 domestic violence entered under this section must, on its face,
591 indicate that it is a violation of s. 790.233, and a first
592 degree misdemeanor, for the respondent to have in his or her
593 care, custody, possession, or control any firearm or ammunition.594 (h) All proceedings under this subsection shall be
595 recorded. Recording may be by electronic means as provided by
596 the Rules of General Practice and Judicial Administration.597 (7) The court shall allow an advocate from a state
598 attorney's office, an advocate from a law enforcement agency, or
599 an advocate from a certified domestic violence center who is
600 registered under s. 39.905 to be present with the petitioner or
601 respondent during any court proceedings or hearings related to
602 the injunction for protection, provided the petitioner or
603 respondent has made such a request and the advocate is able to
604 be present.605 (8) (a)1. Within 24 hours after the court sets the case for
606 a final hearing ~~issues an injunction for protection against~~
607 ~~domestic violence~~, the clerk of the court shall electronically
608 transmit a copy of the petition, designation of mailing and e-
609 mail addresses for service, financial affidavit, Uniform Child

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610 Custody Jurisdiction and Enforcement Act affidavit, if any,
611 notice of hearing, and temporary injunction, if any, to the
612 sheriff or a law enforcement agency of the county where the
613 respondent resides or can be found, who shall serve it upon the
614 respondent as soon thereafter as possible on any day of the week
615 and at any time of the day or night. The respondent shall file a
616 designation of mailing and e-mail addresses with the clerk of
617 the court for subsequent service within 1 business day after the
618 respondent has been personally served. An electronic copy of the
619 temporary ~~an~~ injunction must be certified by the clerk of the
620 court, and the electronic copy must be served in the same manner
621 as a certified copy. Upon receiving an electronic copy of the
622 temporary injunction, the sheriff must verify receipt with the
623 sender before attempting to serve it upon the respondent. In
624 addition, if the sheriff is in possession of a temporary ~~an~~
625 injunction for protection that has been certified by the clerk
626 of the court, the sheriff may electronically transmit a copy of
627 that temporary injunction to a law enforcement officer who shall
628 serve it in the same manner as a certified copy. The clerk of
629 the court is responsible for furnishing to the sheriff such
630 information on the respondent's physical description and
631 location as is required by the department to comply with the
632 verification procedures set forth in this section.
633 Notwithstanding any other law to the contrary, the chief judge
634 of each circuit, in consultation with the appropriate sheriff,
635 may authorize a law enforcement agency within the jurisdiction
636 to effect service. A law enforcement agency serving injunctions
637 pursuant to this section must use service and verification
638 procedures consistent with those of the sheriff.

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639 2. When an injunction is issued, if the petitioner requests
640 the assistance of a law enforcement agency, the court may order
641 that an officer from the appropriate law enforcement agency
642 accompany the petitioner and assist in placing the petitioner in
643 possession of the dwelling or residence, or otherwise assist in
644 the execution or service of the temporary or final injunction. A
645 law enforcement officer must accept a copy of the temporary or
646 final injunction for protection against domestic violence,
647 certified by the clerk of the court, from the petitioner and
648 immediately serve it upon a respondent who has been located but
649 not yet served.

650 3. All orders issued, changed, continued, extended, or
651 vacated subsequent to the original service of documents
652 enumerated under subparagraph 1. must be certified by the clerk
653 of the court and delivered to the parties at the time of the
654 entry of the subsequent order, if a party is physically present
655 before the court. The parties may acknowledge receipt of such
656 order in writing on the face of the original order. If in the
657 event a party fails or refuses to acknowledge the receipt of a
658 certified copy of an order, the clerk shall note on the original
659 order that service was effected. If delivery at the hearing is
660 not possible or the parties have appeared through audio-video
661 communication technology, the clerk must shall mail or e-mail
662 certified copies of the order to the parties at the last known
663 physical or e-mail address of each party. Service by mail or e-
664 mail is complete upon mailing or e-mailing. When an order is
665 served by the clerk of the court pursuant to this subsection,
666 the clerk shall prepare a written certification to be placed in
667 the court file specifying the time, date, and method of service

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668 and shall notify the sheriff.

669

670 If the respondent has been served by a law enforcement officer
671 ~~previously with the temporary injunction or a notice of hearing~~
672 ~~on a and has failed to appear at the initial hearing on the~~
673 temporary injunction, any subsequent petition for injunction
674 seeking an extension of time, any subsequent temporary or final
675 injunction, or any subsequent order may be served on the
676 respondent by the clerk of the court by certified mail or e-mail
677 in lieu of personal service by a law enforcement officer.

678 (b) ~~A Domestic and Repeat Violence Injunction~~ Statewide
679 Injunction Verification System is created within the Department
680 of Law Enforcement. The department shall establish, implement,
681 and maintain a statewide communication system capable of
682 electronically transmitting information to and between criminal
683 justice agencies relating to domestic violence injunctions,
684 dating violence injunctions, sexual violence injunctions, and
685 repeat violence injunctions, and stalking injunctions issued by
686 the courts throughout the state. Such information must include,
687 but is not limited to, information as to the existence and
688 status of any injunction for verification purposes.

689 (c)1. Within 24 hours after the court issues a temporary an
690 ~~injunction for protection against domestic violence or changes,~~
691 ~~continues, extends, or vacates an injunction for protection~~
692 ~~against domestic violence,~~ the clerk of the court must
693 electronically transmit a certified copy of the injunction for
694 service to the sheriff with jurisdiction over the residence of
695 the petitioner. The injunction must be served in accordance with
696 this subsection.

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697 2. Within 24 hours after service of process of an
698 injunction for protection against domestic violence upon a
699 respondent, the law enforcement officer must electronically
700 transmit the written proof of service of process to the sheriff
701 with jurisdiction over the residence of the petitioner.

702 3. Within 24 hours after the sheriff receives a certified
703 copy of the injunction for protection against domestic violence,
704 the sheriff must make information relating to the injunction
705 available to other law enforcement agencies by electronically
706 transmitting such information to the department.

707 4. Within 24 hours after the sheriff or other law
708 enforcement officer has made service upon the respondent and the
709 sheriff has been so notified, the sheriff must make information
710 relating to the service available to other law enforcement
711 agencies by electronically transmitting such information to the
712 department.

713 5. Within 24 hours after the court issues a final
714 injunction for protection after a hearing or changes, continues,
715 extends, or vacates an injunction for protection against
716 domestic violence, the clerk must mail or e-mail certified
717 copies of the injunction order to the last known physical or e-
718 mail address of each party. Service by mail or e-mail is
719 complete upon mailing or e-mailing. When an order is served
720 pursuant to this subsection by the clerk of the court, the clerk
721 shall prepare a written certification to be placed in the court
722 file specifying the time, date, and method of service. The clerk
723 of the court must electronically transmit a certified copy of
724 the injunction to the sheriff with jurisdiction over the
725 residence of the petitioner. Within 24 hours after the sheriff

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726 receives a certified copy of the injunction for protection
727 against domestic violence under this subsection, the sheriff
728 must make information relating to the injunction available to
729 other law enforcement agencies by electronically transmitting
730 such information to the department.

731 6. Subject to available funding, the Florida Association of
732 Court Clerks and Comptrollers shall develop an automated process
733 by which a petitioner may request notification of service of the
734 injunction for protection against domestic violence and other
735 court actions related to the injunction for protection. The
736 automated notice must be made within 12 hours after the sheriff
737 or other law enforcement officer serves the injunction upon the
738 respondent. The notification must include, at a minimum, the
739 date, time, and location where the injunction for protection
740 against domestic violence was served. The Florida Association of
741 Court Clerks and Comptrollers may apply for any available grants
742 to fund the development of the automated process.

743 7.6. Within 24 hours after an injunction for protection
744 against domestic violence is vacated, terminated, or otherwise
745 rendered no longer effective by ruling of the court, the clerk
746 of the court must notify the sheriff receiving original
747 notification of the injunction as provided in subparagraph 2.
748 That agency shall, within 24 hours after receiving such
749 notification from the clerk of the court, notify the department
750 of such action of the court.

751 (d) The petitioner may request a Hope Card under s. 741.311
752 after the court has issued a final injunction order of
753 protection.

754 (9) (a) The court may enforce a violation of an injunction

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755 for protection against domestic violence through a civil or
756 criminal contempt proceeding, or the state attorney may
757 prosecute it as a criminal violation under s. 741.31. The court
758 may enforce the respondent's compliance with the injunction
759 through any appropriate civil and criminal remedies, including,
760 but not limited to, a monetary assessment or a fine. The clerk
761 of the court shall collect and receive such assessments or
762 fines. On a monthly basis, the clerk shall transfer the moneys
763 collected pursuant to this paragraph to the State Treasury for
764 deposit in the Domestic Violence Trust Fund established in s.
765 741.01.

766 (b) If the respondent is arrested by a law enforcement
767 officer under s. 901.15(6) or for a violation of s. 741.31, the
768 respondent shall be held in custody until brought before the
769 court as expeditiously as possible for the purpose of enforcing
770 the injunction and for admittance to bail in accordance with
771 chapter 903 and the applicable rules of criminal procedure,
772 pending a hearing.

773 (10) The petitioner or the respondent may move the court to
774 modify or dissolve an injunction at any time.

775 Section 2. Paragraph (a) of subsection (3), paragraph (b)
776 of subsection (4), and subsections (5) through (9) of section
777 784.046, Florida Statutes, are amended, and paragraph (f) is
778 added to subsection (2) of that section, to read:

779 784.046 Action by victim of repeat violence, sexual
780 violence, or dating violence for protective injunction; dating
781 violence investigations, notice to victims, and reporting;
782 pretrial release violations; public records exemption.—

783 (2) There is created a cause of action for an injunction

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784 for protection in cases of repeat violence, there is created a
785 separate cause of action for an injunction for protection in
786 cases of dating violence, and there is created a separate cause
787 of action for an injunction for protection in cases of sexual
788 violence.

789 (f) The court is prohibited from issuing mutual orders of
790 protection. This does not preclude the court from issuing
791 separate injunctions for protection against repeat violence,
792 sexual violence, or dating violence if each party has complied
793 with this section. Compliance with this section may not be
794 waived.

795 (3) (a) The clerk of the court shall provide a copy of this
796 section, simplified forms for the injunction, a designation of
797 mailing and e-mail addresses for service, and clerical
798 assistance for the preparation and filing of such a petition by
799 any person who is not represented by counsel.

800 (4)

801 (b) The verified petition must be in substantially the
802 following form:

803
804 PETITION FOR INJUNCTION FOR PROTECTION
805 AGAINST REPEAT VIOLENCE, SEXUAL
806 VIOLENCE, OR DATING VIOLENCE

807
808 The undersigned petitioner ... (name) ... declares under
809 penalties of perjury that the following statements are true:

810
811 1. Petitioner resides at ... (address) ... (A petitioner for
812 an injunction for protection against repeat violence, sexual

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813 violence, or dating violence may furnish an address to the court
814 in a separate confidential filing if, for safety reasons, the
815 petitioner requires the location of his or her current residence
816 to be confidential pursuant to s. 119.071(2)(j), Florida
817 Statutes.)

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

819 3.a. Petitioner has suffered repeat violence as
820 demonstrated by the fact that the respondent has: ... (enumerate
821 incidents of violence)...

822
823
824
825
826
827 b. Petitioner has suffered sexual violence as demonstrated
828 by the fact that the respondent has: ... (enumerate incident of
829 violence and include incident report number from law enforcement
830 agency or attach notice of inmate release)...

831
832
833
834
835
836 c. Petitioner is a victim of dating violence and has
837 reasonable cause to believe that he or she is in imminent danger
838 of becoming the victim of another act of dating violence or has
839 reasonable cause to believe that he or she is in imminent danger
840 of becoming a victim of dating violence, as demonstrated by the
841 fact that the respondent has: ... (list the specific incident or

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842 incidents of violence and describe the length of time of the
843 relationship, whether it has been in existence during the last 6
844 months, the nature of the relationship of a romantic or intimate
845 nature, the frequency and type of interaction, and any other
846 facts that characterize the relationship)...

847
848
849
850
851
852 4. Petitioner genuinely fears repeat violence by the
853 respondent.

854 5. Petitioner seeks: an immediate injunction against the
855 respondent, enjoining him or her from committing any further
856 acts of violence; an injunction enjoining the respondent from
857 committing any further acts of violence; and an injunction
858 providing any terms the court deems necessary for the protection
859 of the petitioner and the petitioner's immediate family,
860 including any injunctions or directives to law enforcement
861 agencies.

862
863 (5) Upon the filing of the petition, the court shall review
864 the petition ex parte. The court must set a final hearing to be
865 held at the earliest possible time if it appears that the
866 petitioner meets the criteria of paragraph (2)(a), paragraph
867 (2)(b), or paragraph (2)(c). If a final hearing is set, the
868 respondent must shall be personally served by a law enforcement
869 officer with a copy of the petition, designation of mailing and
870 e-mail addresses, notice of final hearing, and temporary

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871 injunction, if any, before prior to the final hearing.

872 (6) (a) Upon review of the petition, if ~~when~~ it appears to
873 the court that an immediate and present danger of violence
874 exists, the court may grant a temporary injunction ex parte
875 ~~which may be granted in an ex parte hearing, pending a final~~
876 full hearing, and may grant such relief as the court deems
877 proper, including an injunction enjoining the respondent from
878 committing any acts of violence.

879 (b) Except as provided in s. 90.204, in ~~an a hearing~~ ex
880 parte review or hearing for the purpose of obtaining such
881 temporary injunction, ~~no~~ evidence other than the verified
882 pleadings or affidavits may not pleading or affidavit shall be
883 used as evidence, unless the respondent appears at the hearing
884 or has received reasonable notice of the hearing. A court's
885 denial of a petition for an ex parte temporary injunction must
886 be by written order noting the legal grounds for the denial.
887 When the only grounds for denial is no appearance of an
888 immediate and present danger of violence, the court may set a
889 final hearing on the petition without issuing a temporary
890 injunction with notice at the earliest possible time. This
891 paragraph does not affect a petitioner's right to promptly
892 dismiss a petition, amend a petition, or otherwise be heard in
893 person on a petition consistent with the Florida Rules of Civil
894 Procedure.

895 (c) Any such ex parte temporary injunction shall be
896 effective for a fixed period not to exceed 15 days. However, an
897 ex parte temporary injunction granted under subparagraph
898 (2) (c)2. is effective for 15 days following the date the
899 respondent is released from incarceration. If a final A full

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900 hearing is set, it must as provided by this section, shall be
901 set for a date no later than the date when the temporary
902 injunction ceases to be effective. The court may grant a
903 continuance of the temporary ex parte injunction before or
904 during the final and the full hearing before or during a
905 hearing, for good cause shown by any party, which includes a
906 continuance to obtain service of process. Any injunction must be
907 extended if necessary to remain in full force and effect during
908 any period of continuance.

909 (7) Upon notice and final hearing, the court may grant such
910 relief as the court deems proper, including an injunction:

911 (a) Enjoining the respondent from committing any acts of
912 violence.

913 (b) Ordering such other relief as the court deems necessary
914 for the protection of the petitioner, including injunctions or
915 directives to law enforcement agencies, as provided in this
916 section.

917 (c) The terms of the injunction shall remain in full force
918 and effect until modified or dissolved. Either party may move at
919 any time to modify or dissolve the injunction. Such relief may
920 be granted in addition to other civil or criminal remedies.

921 (d) A temporary or final judgment on injunction for
922 protection against repeat violence, sexual violence, or dating
923 violence entered pursuant to this section shall, on its face,
924 indicate that:

925 1. The injunction is valid and enforceable in all counties
926 of the State of Florida.

927 2. Law enforcement officers may use their arrest powers
928 pursuant to s. 901.15(6) to enforce the terms of the injunction.

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929 3. The court had jurisdiction over the parties and matter
930 under the laws of Florida and that reasonable notice and
931 opportunity to be heard was given to the person against whom the
932 order is sought sufficient to protect that person's right to due
933 process.

934 4. The date that the respondent was served with the
935 temporary or final order, if obtainable.

936 5. All proceedings under this paragraph must be recorded.
937 Recording may be by electronic means as provided by the Rules of
938 General Practice and Judicial Administration.

939 (8)(a)1. Within 24 hours after the court sets the case for
940 a final hearing issues an injunction for protection against
941 repeat violence, sexual violence, or dating violence, the clerk
942 of the court shall electronically transmit a copy of the
943 petition, notice of hearing, and temporary injunction, if any,
944 to the sheriff or a law enforcement agency of the county where
945 the respondent resides or can be found, who shall serve it upon
946 the respondent as soon thereafter as possible on any day of the
947 week and at any time of the day or night. The respondent shall
948 file a designation of mailing or e-mail addresses with the clerk
949 of the court for subsequent service within 1 business day after
950 the respondent has been personally served. An electronic copy of
951 the temporary an injunction must be certified by the clerk of
952 the court, and the electronic copy must be served in the same
953 manner as a certified copy. Upon receiving an electronic copy of
954 the temporary injunction, the sheriff must verify receipt with
955 the sender before attempting to serve it upon the respondent. In
956 addition, if the sheriff is in possession of the temporary an
957 injunction for protection that has been certified by the clerk

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958 of the court, the sheriff may electronically transmit a copy of
959 that temporary injunction to a law enforcement officer who shall
960 serve it in the same manner as a certified copy. The clerk of
961 the court is responsible for furnishing to the sheriff such
962 information on the respondent's physical description and
963 location as is required by the department to comply with the
964 verification procedures set forth in this section.

965 Notwithstanding any other law to the contrary, the chief judge
966 of each circuit, in consultation with the appropriate sheriff,
967 may authorize a law enforcement agency within the chief judge's
968 jurisdiction to effect this type of service and to receive a
969 portion of the service fee. A person may not serve or execute a
970 temporary ~~an~~ injunction issued under this section unless the
971 person is a law enforcement officer as defined in chapter 943.

972 2. When an injunction is issued, if the petitioner requests
973 the assistance of a law enforcement agency, the court may order
974 that an officer from the appropriate law enforcement agency
975 accompany the petitioner and assist in the execution or service
976 of the temporary or final injunction. A law enforcement officer
977 must accept a copy of the temporary or final ~~an~~ injunction for
978 protection against repeat violence, sexual violence, or dating
979 violence, certified by the clerk of the court, from the
980 petitioner and immediately serve it upon a respondent who has
981 been located but not yet served.

982 3. All orders issued, changed, continued, extended, or
983 vacated subsequent to the original service of documents
984 enumerated under subparagraph 1. must be certified by the clerk
985 of the court and delivered to the parties at the time of the
986 entry of the subsequent order if a party is physically present

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987 before the court. The parties may acknowledge receipt of such
988 order in writing on the face of the original order. If a party
989 fails or refuses to acknowledge the receipt of a certified copy
990 of an order, the clerk must note on the original order that
991 service was effected. If delivery at the hearing is not
992 possible, or the parties have appeared through audio-video
993 communication technology, the clerk must mail or e-mail
994 certified copies of the order to the parties at the last known
995 physical or e-mail address of each party. Service by mail or e-
996 mail is complete upon mailing or e-mailing. When an order is
997 served by the clerk of the court pursuant to this subsection,
998 the clerk shall prepare a written certification to be placed in
999 the court file specifying the time, date, and method of service
1000 and shall notify the sheriff.

1001
1002 If the respondent has been served by a law enforcement officer
1003 with the temporary injunction or a notice of hearing on a
1004 temporary injunction, any subsequent petition for injunction
1005 seeking an extension of time, or any subsequent temporary
1006 injunction, final injunction, or order, may be served on the
1007 respondent by the clerk of the court by certified mail or e-
1008 mail, in lieu of personal service by a law enforcement officer.

1009 (b) A Domestic, Dating, Sexual, and Repeat Violence
1010 Injunction Statewide Injunction Verification System is created
1011 within the Department of Law Enforcement. The department shall
1012 establish, implement, and maintain a statewide communication
1013 system capable of electronically transmitting information to and
1014 between criminal justice agencies relating to domestic violence
1015 injunctions, dating violence injunctions, sexual violence

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1016 injunctions, and repeat violence injunctions, and stalking
1017 injunctions issued by the courts throughout the state. Such
1018 information must include, but is not limited to, information as
1019 to the existence and status of any injunction for verification
1020 purposes.

1021 (c)1. Within 24 hours after the court issues an injunction
1022 for protection against repeat violence, sexual violence, or
1023 dating violence or changes or vacates an injunction for
1024 protection against repeat violence, sexual violence, or dating
1025 violence, the clerk of the court must electronically transmit a
1026 copy of the injunction to the sheriff with jurisdiction over the
1027 residence of the petitioner.

1028 2. Within 24 hours after service of process of an
1029 injunction for protection against repeat violence, sexual
1030 violence, or dating violence upon a respondent, the law
1031 enforcement officer must electronically transmit the written
1032 proof of service of process to the sheriff with jurisdiction
1033 over the residence of the petitioner.

1034 3. Within 24 hours after the sheriff receives a certified
1035 copy of the injunction for protection against repeat violence,
1036 sexual violence, or dating violence, the sheriff must make
1037 information relating to the injunction available to other law
1038 enforcement agencies by electronically transmitting such
1039 information to the department.

1040 4. Within 24 hours after the sheriff or other law
1041 enforcement officer has made service upon the respondent and the
1042 sheriff has been so notified, the sheriff must make information
1043 relating to the service available to other law enforcement
1044 agencies by electronically transmitting such information to the

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1045 department.

1046 5. Within 24 hours after the court issues a final
1047 injunction for protection after a hearing or changes, continues,
1048 extends, or vacates an injunction for protection against repeat,
1049 sexual, or dating violence, the clerk must mail or e-mail
1050 certified copies of the injunction order to the last known
1051 physical or e-mail address of each party. Service by mail or e-
1052 mail is complete upon mailing or e-mailing. When an order is
1053 served pursuant to this subsection, the clerk shall prepare a
1054 written certification to be placed in the court file specifying
1055 the time, date, and method of service. The clerk of the court
1056 shall electronically transmit a certified copy of the injunction
1057 to the sheriff with jurisdiction over the residence of the
1058 petitioner. Within 24 hours after the sheriff receives a
1059 certified copy of the injunction for protection against domestic
1060 violence under this subsection, the sheriff must make
1061 information relating to the injunction available to other law
1062 enforcement agencies by electronically transmitting such
1063 information to the department.

1064 6. Subject to available funding, the Florida Association of
1065 Court Clerks and Comptrollers shall develop an automated process
1066 by which a petitioner may request notification of service of the
1067 injunction for protection against repeat violence, sexual
1068 violence, or dating violence and other court actions related to
1069 the injunction for protection. The automated notice must be made
1070 within 12 hours after the sheriff or other law enforcement
1071 officer serves the injunction upon the respondent. The
1072 notification must include, at a minimum, the date, time, and
1073 location where the injunction for protection against repeat

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1074 violence, sexual violence, or dating violence was served. The
1075 Florida Association of Court Clerks and Comptrollers may apply
1076 for any available grants to fund the development of the
1077 automated process.

1078 7.6. Within 24 hours after an injunction for protection
1079 against repeat violence, sexual violence, or dating violence is
1080 lifted, terminated, or otherwise rendered no longer effective by
1081 ruling of the court, the clerk of the court must notify the
1082 sheriff or local law enforcement agency receiving original
1083 notification of the injunction as provided in subparagraph 2.
1084 That agency shall, within 24 hours after receiving such
1085 notification from the clerk of the court, notify the department
1086 of such action of the court.

1087 (d) The petitioner may request a Hope Card under s. 741.311
1088 after the court has issued a final injunction order of
1089 protection.

1090 (9) (a) The court shall enforce, through a civil or criminal
1091 contempt proceeding, a violation of the temporary or final an
1092 injunction for protection. The court may enforce the
1093 respondent's compliance with the injunction by imposing a
1094 monetary assessment. The clerk of the court shall collect and
1095 receive such assessments. On a monthly basis, the clerk shall
1096 transfer the moneys collected pursuant to this paragraph to the
1097 State Treasury for deposit in the Crimes Compensation Trust Fund
1098 established in s. 960.21.

1099 (b) If the respondent is arrested by a law enforcement
1100 officer under s. 901.15(6) for committing an act of repeat
1101 violence, sexual violence, or dating violence in violation of a
1102 temporary or final an injunction for protection, the respondent

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1103 shall be held in custody until brought before the court as
1104 expeditiously as possible for the purpose of enforcing the
1105 injunction and for admittance to bail in accordance with chapter
1106 903 and the applicable rules of criminal procedure, pending a
1107 hearing.

1108 Section 3. Section 784.0485, Florida Statutes, is amended
1109 to read:

1110 784.0485 Stalking; injunction; powers and duties of court
1111 and clerk; petition; notice and hearing; temporary injunction;
1112 issuance of injunction; Statewide Injunction Verification
1113 System; enforcement.—

1114 (1) There is created a cause of action for an injunction
1115 for protection against stalking. For the purposes of injunctions
1116 for protection against stalking under this section, the offense
1117 of stalking shall include the offense of cyberstalking.

1118 (a) A person who is the victim of stalking or the parent or
1119 legal guardian of a minor child who is living at home who seeks
1120 an injunction for protection against stalking on behalf of the
1121 minor child has standing in the circuit court to file a verified
1122 petition for an injunction for protection against stalking.

1123 (b) The cause of action for an injunction for protection
1124 may be sought regardless of whether any other cause of action is
1125 currently pending between the parties. However, the pendency of
1126 any such cause of action shall be alleged in the petition.

1127 (c) The cause of action for an injunction may be sought by
1128 any affected person.

1129 (d) The cause of action for an injunction does not require
1130 either party to be represented by an attorney.

1131 (e) The court may not issue mutual orders of protection;

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1132 however, the court is not precluded from issuing separate
1133 injunctions for protection against stalking if each party has
1134 complied with this section. Compliance with this section may not
1135 be waived.

1136 (f) Notwithstanding chapter 47, a petition for an
1137 injunction for protection against stalking may be filed in the
1138 circuit where the petitioner currently or temporarily resides,
1139 where the respondent resides, or where the stalking occurred.
1140 There is no minimum requirement of residency to petition for an
1141 injunction for protection.

1142 (2) (a) Notwithstanding any other law, the clerk of court
1143 may not assess a filing fee to file a petition for protection
1144 against stalking. However, subject to legislative appropriation,
1145 the clerk of the circuit court may, on a quarterly basis, submit
1146 to the Justice Administrative Commission a certified request for
1147 reimbursement for petitions for protection against stalking
1148 issued by the court, at the rate of \$40 per petition. The
1149 request for reimbursement must be submitted in the form and
1150 manner prescribed by the Justice Administrative Commission. From
1151 this reimbursement, the clerk shall pay any law enforcement
1152 agency serving the injunction the fee requested by the law
1153 enforcement agency; however, this fee may not exceed \$20.

1154 (b) A bond is not required by the court for the entry of an
1155 injunction.

1156 (c) 1. The clerk of the court shall assist petitioners in
1157 seeking both injunctions for protection against stalking and
1158 enforcement of a violation thereof as specified in this section.

1159 2. All offices of the clerk of the court shall provide
1160 simplified petition forms for the injunction and any

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1161 modifications to and the enforcement thereof, and a designation
1162 of mailing and e-mail addresses for service, including
1163 instructions for completion.

1164 3. The clerk of the court shall ensure the petitioner's
1165 privacy to the extent practicable while completing the forms for
1166 an injunction for protection against stalking.

1167 4. The clerk of the court shall provide a petitioner with a
1168 minimum of two certified copies of the order of injunction, one
1169 of which is serviceable and will inform the petitioner of the
1170 process for service and enforcement.

1171 5. The clerk of the court and appropriate staff in each
1172 county shall receive training in the effective assistance of
1173 petitioners as provided or approved by the Florida Association
1174 of Court Clerks and Comptrollers.

1175 6. The clerk of the court in each county shall make
1176 available informational brochures on stalking when such a
1177 brochure is provided by the local certified domestic violence
1178 center or certified rape crisis center.

1179 7. The clerk of the court in each county shall distribute a
1180 statewide uniform informational brochure to petitioners at the
1181 time of filing for an injunction for protection against stalking
1182 when such brochures become available. The brochure must include
1183 information about the effect of giving the court false
1184 information.

1185 (3) (a) The verified petition shall allege the existence of
1186 such stalking and shall include the specific facts and
1187 circumstances for which relief is sought.

1188 (b) The verified petition shall be in substantially the
1189 following form:

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1190

1191

1192

1193

1194 PETITION FOR INJUNCTION
1195 FOR PROTECTION AGAINST STALKING
1196
1197 The undersigned petitioner ... (name) ... declares under
1198 penalties of perjury that the following statements are
1199 true:

1200

1201

1202

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1218

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

(Petitioner may furnish the 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.)

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

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

4. Physical description of respondent:

5. Race:

6. Sex:

7. Date of birth:

8. Height:

9. Weight:

10. Eye color:

11. Hair color:

12. Distinguishing marks or scars:

13. Aliases of respondent:

(c) The petitioner shall describe any other cause of action currently pending between the petitioner and respondent. The

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1219 petitioner shall also describe any previous attempt by the
1220 petitioner to obtain an injunction for protection against
1221 stalking in this or any other circuit, and the result of that
1222 attempt. (Case numbers should be included, if available.)

1223 (d) The petition must provide space for the petitioner to
1224 specifically allege that he or she is a victim of stalking
1225 because respondent has:

1226

1227 (Mark all sections that apply and describe in the
1228 spaces below the incidents of stalking specifying when
1229 and where they occurred, including, but not limited
1230 to, locations such as a home, school, or place of
1231 employment.)

1232

1233 Committed stalking.

1234 Previously threatened, harassed, stalked,
1235 cyberstalked, or physically abused the petitioner.

1236 Threatened to harm the petitioner or family members or
1237 individuals closely associated with the petitioner.

1238 Intentionally injured or killed a family pet.

1239 Used, or threatened to use, against the petitioner any
1240 weapons such as guns or knives.

1241 A criminal history involving violence or the threat of
1242 violence, if known.

1243 Another order of protection issued against him or her
1244 previously or from another jurisdiction, if known.

1245 Destroyed personal property, including, but not
1246 limited to, telephones or other communication equipment,
1247 clothing, or other items belonging to the petitioner.

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1248

1249 (e) The petitioner seeks an injunction:

1250

1251 (Mark appropriate section or sections.)

1252

1253 Immediately restraining the respondent from committing
1254 any acts of stalking.

1255

1256 Restraining the respondent from committing any acts of
1257 stalking.

1258

1259 Providing any terms the court deems necessary for the
protection of a victim of stalking, including any injunctions or
1260 directives to law enforcement agencies.

1261

1262 (f) Every petition for an injunction against stalking must
1263 contain, directly above the signature line, a statement in all
1264 capital letters and bold type not smaller than the surrounding
text, as follows:

1265

1266 UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ
1267 THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT
1268 ARE TRUE. I UNDERSTAND THAT THE STATEMENTS MADE IN
1269 THIS PETITION ARE BEING MADE UNDER PENALTIES OF
1270 PERJURY, PUNISHABLE AS PROVIDED IN SECTION 92.525,
1271 FLORIDA STATUTES.

1272

1273 ... (initials) ...

1274

1275 (4) Upon the filing of the petition, the court shall review
1276 the petition ex parte. The court must set a final hearing to be

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1277 held at the earliest possible time if it appears that the
1278 petitioner is a victim of stalking. If a final hearing is set,
1279 the respondent ~~must~~ shall be personally served by a law
1280 enforcement officer with a copy of the petition, notice of
1281 hearing, and temporary injunction, if any, before the final
1282 hearing.

1283 (5) (a) Upon review of the petition, if it appears to the
1284 court that stalking exists, the court may grant a temporary
1285 injunction ex parte, pending a final full hearing, and may grant
1286 such relief as the court deems proper, including an injunction
1287 restraining the respondent from committing any act of stalking.

1288 (b) Except as provided in s. 90.204, in an ex parte review
1289 or an a hearing ex parte hearing for the purpose of obtaining
1290 such ex parte temporary injunction, evidence other than verified
1291 pleadings or affidavits may not be used as evidence, unless the
1292 respondent appears at the hearing or has received reasonable
1293 notice of the hearing. A denial of a petition for an ex parte
1294 temporary injunction shall be by written order noting the legal
1295 grounds for denial. If the only ground for denial is no
1296 appearance of an immediate and present danger of stalking, the
1297 court shall set a final full hearing on the petition for
1298 injunction with notice at the earliest possible time. This
1299 paragraph does not affect a petitioner's right to promptly amend
1300 any petition, or otherwise be heard in person on any petition
1301 consistent with the Florida Rules of Civil Procedure.

1302 (c) Any such ex parte temporary injunction is effective for
1303 a fixed period not to exceed 15 days. If a final full hearing is
1304 set, as provided in this section, the hearing shall be set for a
1305 date no later than the date when the temporary injunction ceases

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1306 to be effective. The court may grant a continuance of the
1307 hearing before or during the final a hearing for good cause
1308 shown by any party, which shall include a continuance to obtain
1309 service of process. An injunction shall be extended if necessary
1310 to remain in full force and effect during any period of
1311 continuance.

1312 (6) (a) Upon notice and final hearing, when it appears to
1313 the court that the petitioner is the victim of stalking, the
1314 court may grant such relief as the court deems proper, including
1315 an injunction:

1316 1. Restraining the respondent from committing any act of
1317 stalking.

1318 2. Ordering the respondent to participate in treatment,
1319 intervention, or counseling services to be paid for by the
1320 respondent.

1321 3. Referring a petitioner to appropriate services. The
1322 court may provide the petitioner with a list of certified
1323 domestic violence centers, certified rape crisis centers, and
1324 other appropriate referrals in the circuit which the petitioner
1325 may contact.

1326 4. Ordering such other relief as the court deems necessary
1327 for the protection of a victim of stalking, including
1328 injunctions or directives to law enforcement agencies, as
1329 provided in this section.

1330 (b) The terms of an injunction restraining the respondent
1331 under subparagraph (a)1. or ordering other relief for the
1332 protection of the victim under subparagraph (a)4. shall remain
1333 in effect until modified or dissolved. Either party may move at
1334 any time to modify or dissolve the injunction. Specific

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1335 allegations are not required. Such relief may be granted in
1336 addition to other civil or criminal remedies.

1337 (c) A temporary or final ~~judgment on~~ injunction for
1338 protection against stalking entered pursuant to this section
1339 shall, on its face, indicate:

1340 1. That the injunction is valid and enforceable in all
1341 counties of this state.

1342 2. That law enforcement officers may use their arrest
1343 powers pursuant to s. 901.15(6) to enforce the terms of the
1344 injunction.

1345 3. That the court has jurisdiction over the parties and
1346 matter under the laws of this state and that reasonable notice
1347 and opportunity to be heard was given to the person against whom
1348 the order is sought sufficient to protect that person's right to
1349 due process.

1350 4. The date that the respondent was served with the
1351 temporary or final injunction order, if obtainable.

1352 (d) The fact that a separate ~~injunction order of protection~~
1353 is granted to each opposing party is not legally sufficient to
1354 deny any remedy to either party or to prove that the parties are
1355 equally at fault or equally endangered.

1356 (e) A final ~~judgment on an~~ injunction for protection
1357 against stalking entered pursuant to this section must, on its
1358 face, provide that it is a violation of s. 790.233 and a
1359 misdemeanor of the first degree for the respondent to have in
1360 his or her care, custody, possession, or control any firearm or
1361 ammunition.

1362 (f) All proceedings under this subsection shall be
1363 recorded. Recording may be by electronic means as provided by

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1364 the Rules of General Practice and Judicial Administration.

1365 (7) The court shall allow an advocate from a state
1366 attorney's office, a law enforcement agency, a certified rape
1367 crisis center, or a certified domestic violence center who is
1368 registered under s. 39.905 to be present with the petitioner or
1369 respondent during any court proceedings or hearings related to
1370 the injunction for protection if the petitioner or respondent
1371 has made such a request and the advocate is able to be present.

1372 (8) (a)1. Within 24 hours after the court sets the case for
1373 a final hearing issues an injunction for protection against
1374 stalking, the clerk of the court shall electronically transmit a
1375 copy of the petition, designation of mailing and e-mail
1376 addresses, notice of hearing, and temporary injunction, if any,
1377 to the sheriff or a law enforcement agency of the county where
1378 the respondent resides or can be found, who shall serve it upon
1379 the respondent as soon thereafter as possible on any day of the
1380 week and at any time of the day or night. The respondent shall
1381 file a designation of mailing or e-mail addresses with the clerk
1382 of the court for subsequent service within 1 business day after
1383 the respondent has been personally served. An electronic copy of
1384 the temporary an injunction must be certified by the clerk of
1385 the court, and the electronic copy must be served in the same
1386 manner as a certified copy. Upon receiving an electronic copy of
1387 the temporary injunction, the sheriff must verify receipt with
1388 the sender before attempting to serve it on the respondent. In
1389 addition, if the sheriff is in possession of a temporary an
1390 injunction for protection that has been certified by the clerk
1391 of the court, the sheriff may electronically transmit a copy of
1392 that temporary injunction to a law enforcement officer who shall

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1393 serve it in the same manner as a certified copy. The clerk of
1394 the court shall furnish to the sheriff such information
1395 concerning the respondent's physical description and location as
1396 is required by the Department of Law Enforcement to comply with
1397 the verification procedures set forth in this section.
1398 Notwithstanding any other law, the chief judge of each circuit,
1399 in consultation with the appropriate sheriff, may authorize a
1400 law enforcement agency within the jurisdiction to effect
1401 service. A law enforcement agency serving injunctions pursuant
1402 to this section must use service and verification procedures
1403 consistent with those of the sheriff.

1404 2. If an injunction is issued and the petitioner requests
1405 the assistance of a law enforcement agency, the court may order
1406 that an officer from the appropriate law enforcement agency
1407 accompany the petitioner to assist in the execution or service
1408 of the temporary or final injunction. A law enforcement officer
1409 must accept a copy of a temporary or final injunction for
1410 protection against stalking, certified by the clerk of the
1411 court, from the petitioner and immediately serve it upon a
1412 respondent who has been located but not yet served.

1413 3. An order issued, changed, continued, extended, or
1414 vacated subsequent to the original service of documents
1415 enumerated under subparagraph 1. must be certified by the clerk
1416 of the court and delivered to the parties at the time of the
1417 entry of the subsequent order if a party is physically present
1418 before the court. The parties may acknowledge receipt of such
1419 order in writing on the face of the original order. In the event
1420 If a party fails or refuses to acknowledge the receipt of a
1421 certified copy of an order, the clerk must shall note on the

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1422 original order that service was effected. If delivery at the
1423 hearing is not possible, or the parties have appeared through
1424 audio-video communication technology, the clerk must shall mail
1425 or e-mail certified copies of the order to the parties at the
1426 last known physical or e-mail address of each party. Service by
1427 mail or e-mail is complete upon mailing or e-mailing. When an
1428 order is served by the clerk of the court pursuant to this
1429 subsection, the clerk shall prepare a written certification to
1430 be placed in the court file specifying the time, date, and
1431 method of service and shall notify the sheriff.

1432 4. If the respondent has been served by a law enforcement
1433 officer previously with the a temporary injunction or a notice
1434 of hearing on a and has failed to appear at the initial hearing
1435 on the temporary injunction, any subsequent petition for
1436 injunction seeking an extension of time and any subsequent
1437 temporary injunction, final injunction, or order may be served
1438 on the respondent by the clerk of the court by certified mail or
1439 e-mail in lieu of personal service by a law enforcement officer.

1440 5. A Statewide Injunction Verification System is created
1441 within the Department of Law Enforcement. The department shall
1442 establish, implement, and maintain a statewide communication
1443 system capable of electronically transmitting information to and
1444 between criminal justice agencies relating to domestic violence
1445 injunctions, dating violence injunctions, sexual violence
1446 injunctions, repeat violence injunctions, and stalking
1447 injunctions issued by the courts throughout this state. Such
1448 information must include, but is not limited to, information as
1449 to the existence and status of any injunction for verification
1450 purposes.

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(b)1. Subsequent to the original service of documents in subparagraph (a)1., the clerk of the court, within 24 hours after the court issues a final an injunction for protection against stalking or changes, continues, extends, or vacates a temporary an injunction for protection against stalking, the clerk of the court must electronically transmit a certified copy of the injunction for service to the sheriff having jurisdiction over the residence of the petitioner. The clerk must mail or e-mail certified copies of the order to the parties to the last known physical or e-mail address of each party. Service by mail or e-mail is complete upon mailing or e-mailing. When an order is served pursuant to this subsection, the clerk shall prepare a written certification to be placed in the court file specifying the time, date, and method of service and shall electronically transmit a certified copy of the order to the sheriff with jurisdiction over the residence of the petitioner The injunction must be served in accordance with this subsection.

2. Within 24 hours after service of process of an injunction for protection against stalking upon a respondent, the law enforcement officer must electronically transmit the written proof of service of process to the sheriff having jurisdiction over the residence of the petitioner.

3. Within 24 hours after the sheriff receives a certified copy of the injunction for protection against stalking, the sheriff must make information relating to the injunction available to other law enforcement agencies by electronically transmitting such information to the Department of Law Enforcement.

4. Within 24 hours after the sheriff or other law

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1480 enforcement officer has made service upon the respondent and the
1481 sheriff has been so notified, the sheriff must make information
1482 relating to the service available to other law enforcement
1483 agencies by electronically transmitting such information to the
1484 Department of Law Enforcement.

1485 5. Within 24 hours after the court issues a final
1486 injunction for protection after a hearing or changes, continues,
1487 extends, or vacates an injunction for protection against
1488 stalking ~~is vacated, terminated, or otherwise rendered no longer~~
1489 ~~effective by ruling of the court,~~ the clerk of the court must
1490 mail or e-mail certified copies of the injunction order to the
1491 last known physical or e-mail address of each party. Service by
1492 mail or e-mail is complete upon mailing or e-mailing. When an
1493 order is served pursuant to this subsection, the clerk shall
1494 prepare a written certification to be placed in the court file
1495 specifying the time, date, and method of service. The clerk of
1496 the court must electronically transmit a certified copy of the
1497 injunction to the sheriff with jurisdiction over the residence
1498 of the petitioner. Within 24 hours after the sheriff receives a
1499 certified copy of the injunction for protection against stalking
1500 under this subsection, the sheriff must make information
1501 relating to the injunction available to other law enforcement
1502 agencies by electronically transmitting such information to
1503 ~~notify the sheriff receiving original notification of the~~
1504 ~~injunction as provided in subparagraph 2. That agency shall,~~
1505 ~~within 24 hours after receiving such notification from the clerk~~
1506 ~~of the court, notify the Department of Law Enforcement of such~~
1507 ~~action of the court.~~

1508 (c) The petitioner may request a Hope Card under s. 741.311

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1509 after the court has issued a final injunction ~~order of~~
1510 ~~protection~~.

1511 (9) (a) The court may enforce a violation of a temporary or
1512 final ~~an~~ injunction for protection against stalking through a
1513 civil or criminal contempt proceeding, or the state attorney may
1514 prosecute it as a criminal violation under s. 784.0487. Any
1515 assessments or fines ordered by the court enforcing such an
1516 injunction shall be collected by the clerk of the court and
1517 transferred on a monthly basis to the State Treasury for deposit
1518 into the Domestic Violence Trust Fund.

1519 (b) If the respondent is arrested by a law enforcement
1520 officer under s. 901.15(6) or for a violation of s. 784.0487,
1521 the respondent shall be held in custody until brought before the
1522 court as expeditiously as possible for the purpose of enforcing
1523 the injunction and for admittance to bail in accordance with
1524 chapter 903 and the applicable rules of criminal procedure,
1525 pending a hearing.

1526 (10) The petitioner or the respondent may move the court to
1527 modify or dissolve an injunction at any time.

1528 Section 4. Paragraph (a) of subsection (3) of section
1529 61.1825, Florida Statutes, is amended to read:

1530 61.1825 State Case Registry.—

1531 (3) (a) For the purpose of this section, a family violence
1532 indicator must be placed on a record when:

1533 1. A party executes a sworn statement requesting that a
1534 family violence indicator be placed on that party's record which
1535 states that the party has reason to believe that release of
1536 information to the Federal Case Registry may result in physical
1537 or emotional harm to the party or the child; or

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1538 2. A temporary or final injunction for protection against
1539 domestic violence has been granted pursuant to s. 741.30(6), an
1540 injunction for protection against domestic violence has been
1541 issued by a court of a foreign state pursuant to s. 741.315, or
1542 a temporary or final injunction for protection against repeat
1543 violence has been granted pursuant to s. 784.046; or

1544 3. The department has received information on a Title IV-D
1545 case from the Statewide Domestic, Dating, Sexual, and Repeat
1546 ~~Violence~~ Injunction ~~Statewide~~ Verification System, established
1547 pursuant to s. 784.046(8)(b), that a court has granted a party a
1548 domestic violence or repeat violence injunction.

1549 Section 5. Paragraph (e) of subsection (2) of section
1550 943.05, Florida Statutes, is amended to read:

1551 943.05 Criminal Justice Information Program; duties; crime
1552 reports.—

1553 (2) The program shall:

1554 (e) Establish, implement, and maintain a Statewide Domestic
1555 ~~and Repeat~~ ~~Violence~~ Injunction ~~Statewide~~ Verification System
1556 capable of electronically transmitting information to and
1557 between criminal justice agencies relating to domestic violence
1558 injunctions, injunctions to prevent child abuse issued under
1559 chapter 39, and repeat violence injunctions issued by the courts
1560 throughout the state. Such information must include, but is not
1561 limited to, information as to the existence and status of any
1562 such injunction for verification purposes.

1563 Section 6. For the purpose of incorporating the amendment
1564 made by this act to section 741.30, Florida Statutes, in a
1565 reference thereto, subsection (5) of section 39.504, Florida
1566 Statutes, is reenacted to read:

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1567 39.504 Injunction; penalty.—

1568 (5) Service of process on the respondent shall be carried
1569 out pursuant to s. 741.30. The department shall deliver a copy
1570 of any injunction issued pursuant to this section to the
1571 protected party or to a parent, caregiver, or individual acting
1572 in the place of a parent who is not the respondent. Law
1573 enforcement officers may exercise their arrest powers as
1574 provided in s. 901.15(6) to enforce the terms of the injunction.

1575 Section 7. For the purpose of incorporating the amendment
1576 made by this act to section 741.30, Florida Statutes, in a
1577 reference thereto, paragraph (b) of subsection (3) of section
1578 44.407, Florida Statutes, is reenacted to read:

1579 44.407 Elder-focused dispute resolution process.—

1580 (3) REFERRAL.—

1581 (b) The court may not refer a party who has a history of
1582 domestic violence or exploitation of an elderly person to
1583 eldercaring coordination unless the elder and other parties in
1584 the action consent to such referral.

1585 1. The court shall offer each party an opportunity to
1586 consult with an attorney or a domestic violence advocate before
1587 accepting consent to such referral. The court shall determine
1588 whether each party has given his or her consent freely and
1589 voluntarily.

1590 2. The court shall consider whether a party has committed
1591 an act of exploitation as defined in s. 415.102, exploitation of
1592 an elderly person or disabled adult as defined in s. 825.103(1),
1593 or domestic violence as defined in s. 741.28 against another
1594 party or any member of another party's family; engaged in a
1595 pattern of behaviors that exert power and control over another

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1596 party and that may compromise another party's ability to
1597 negotiate a fair result; or engaged in behavior that leads
1598 another party to have reasonable cause to believe that he or she
1599 is in imminent danger of becoming a victim of domestic violence.
1600 The court shall consider and evaluate all relevant factors,
1601 including, but not limited to, the factors specified in s.
1602 741.30(6)(b).

1603 3. If a party has a history of domestic violence or
1604 exploitation of an elderly person, the court must order
1605 safeguards to protect the safety of the participants and the
1606 elder and the elder's property, including, but not limited to,
1607 adherence to all provisions of an injunction for protection or
1608 conditions of bail, probation, or a sentence arising from
1609 criminal proceedings.

1610 Section 8. For the purpose of incorporating the amendment
1611 made by this act to section 741.30, Florida Statutes, in a
1612 reference thereto, paragraph (b) of subsection (4) of section
1613 61.125, Florida Statutes, is reenacted to read:

1614 61.125 Parenting coordination.—

1615 (4) DOMESTIC VIOLENCE ISSUES.—

1616 (b) In determining whether there has been a history of
1617 domestic violence, the court shall consider whether a party has
1618 committed an act of domestic violence as defined s. 741.28, or
1619 child abuse as defined in s. 39.01, against the other party or
1620 any member of the other party's family; engaged in a pattern of
1621 behaviors that exert power and control over the other party and
1622 that may compromise the other party's ability to negotiate a
1623 fair result; or engaged in behavior that leads the other party
1624 to have reasonable cause to believe he or she is in imminent

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1625 danger of becoming a victim of domestic violence. The court
1626 shall consider and evaluate all relevant factors, including, but
1627 not limited to, the factors listed in s. 741.30(6)(b).

1628 Section 9. For the purpose of incorporating the amendment
1629 made by this act to section 741.30, Florida Statutes, in a
1630 reference thereto, subsection (1) of section 741.29, Florida
1631 Statutes, is reenacted to read:

1632 741.29 Domestic violence; investigation of incidents;
1633 notice to victims of legal rights and remedies; reporting.—

1634 (1) Any law enforcement officer who investigates an alleged
1635 incident of domestic violence shall:

1636 (a) Assist the victim to obtain medical treatment if such
1637 is required as a result of the alleged incident to which the
1638 officer responds;

1639 (b) Advise the victim of such violence that there is a
1640 domestic violence center from which the victim may receive
1641 services;

1642 (c) Administer a lethality assessment consistent with the
1643 requirements established in subsection (2) if the allegation of
1644 domestic violence is against an intimate partner, regardless of
1645 whether an arrest is made; and

1646 (d) Give the victim immediate notice of the legal rights
1647 and remedies available on a standard form developed and
1648 distributed by the department. As necessary, the department
1649 shall revise the Legal Rights and Remedies Notice to Victims to
1650 include a general summary of s. 741.30 using simple English as
1651 well as Spanish, and shall distribute the notice as a model form
1652 to be used by all law enforcement agencies throughout this
1653 state. The notice must include:

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1654 1. The resource listing, including telephone number, for
1655 the area domestic violence center designated by the Department
1656 of Children and Families; and

1657 2. A copy of the following statement:

1658

1659 IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you may
1660 ask the state attorney to file a criminal complaint.
1661 You also have the right to go to court and file a
1662 petition requesting an injunction for protection from
1663 domestic violence which may include, but need not be
1664 limited to, provisions which restrain the abuser from
1665 further acts of abuse; direct the abuser to leave your
1666 household; prevent the abuser from entering your
1667 residence, school, business, or place of employment;
1668 award you custody of your minor child or children; and
1669 direct the abuser to pay support to you and the minor
1670 children if the abuser has a legal obligation to do
1671 so.

1672

1673 Section 10. This act shall take effect July 1, 2026.