

**By** Senator McClain

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30 the injunctions required to be maintained in the  
31 system; revising the circumstances under which the  
32 clerk of the court must mail or e-mail certified  
33 copies of certain orders to the parties; requiring the  
34 court, upon the filing of a petition, to review the  
35 petition ex parte and set a final hearing at the  
36 earliest possible time under certain circumstances;  
37 making technical and conforming changes; amending s.  
38 784.046, F.S.; prohibiting a court from issuing mutual  
39 orders of protection; revising the required forms,  
40 motions, and information the clerks of the court must  
41 provide to assist petitioners unrepresented by  
42 counsel; requiring that a respondent be personally  
43 served by a law enforcement officer if a final hearing  
44 is set; requiring that a court's denial of a petition  
45 for an ex parte temporary injunction be by certain  
46 written order; specifying that good cause for a  
47 continuance includes obtaining service of process by  
48 any party; requiring a respondent, within 1 business  
49 day after being served, to inform the clerk of the  
50 court of his or her mailing or e-mail address for  
51 subsequent service; revising the circumstances under  
52 which the clerk of the court must mail or e-mail  
53 certified copies of certain orders to the parties;  
54 specifying that service by mail or e-mail is complete  
55 upon mailing or e-mailing; requiring the clerk of the  
56 court to prepare a certain written certification when  
57 a certain order is served by the clerk; requiring that  
58 all specified proceedings be recorded; revising the

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name of the Domestic and Repeat Violence Injunction Statewide Verification System created within the Department of Law Enforcement to the Statewide Injunction Verification System; revising the injunctions required to be maintained in the system; specifying the circumstances under which the clerk of the court must mail or e-mail certified copies of certain injunction orders to the parties; specifying that service by mail or e-mail is complete upon mailing or e-mailing; providing requirements regarding service of process; making technical and conforming changes; amending s. 784.0485, F.S.; revising the required forms, motions, and information all clerk of the court offices must provide to assist petitioners; requiring the court, upon the filing of a petition for an injunction for protection against stalking, to review the petition ex parte and set a final hearing at the earliest possible time under certain circumstances; requiring that a respondent be personally served by a law enforcement officer if a final hearing is set; revising what the clerk of the court, within a specified timeframe after the court sets the case for a final hearing, is required to transmit to the sheriff or a law enforcement agency for service; requiring a respondent, within 1 business day after being served, to inform the clerk of the court of his or her mailing or e-mail address for subsequent service; revising the circumstances under which the clerk of the court must mail or e-mail

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

107

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

109

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

112 741.30 Domestic violence; injunction; powers and duties of  
113 court and clerk; petition; notice and hearing; temporary  
114 injunction; issuance of injunction; Statewide Injunction  
115 Verification System; enforcement; public records exemption.—

116 (1) There is created a cause of action for an injunction

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117 for protection against domestic violence.

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

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

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

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

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

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

142 (g) Any person, including an officer of the court, who  
143 offers evidence or recommendations relating to the cause of  
144 action must either present the evidence or recommendations in  
145 writing to the court with copies to each party and their

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146 attorney, or must present the evidence under oath at a hearing  
147 at which all parties are present.

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

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

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

162 (2) (a) Notwithstanding any other law, the assessment of a  
163 filing fee for a petition for protection against domestic  
164 violence is prohibited. However, subject to legislative  
165 appropriation, the clerk of the circuit court may, on a  
166 quarterly basis, submit to the Justice Administrative Commission  
167 a certified request for reimbursement for petitions for  
168 protection against domestic violence issued by the court, at the  
169 rate of \$40 per petition. The request for reimbursement must be  
170 submitted in the form and manner prescribed by the Justice  
171 Administrative Commission. From this reimbursement, the clerk  
172 shall pay any law enforcement agency serving the injunction the  
173 fee requested by the law enforcement agency; however, this fee  
174 may not exceed \$20.

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

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

2. All clerks' offices of the clerk of the court shall provide Supreme Court-approved family law simplified petition forms for the injunction and, any modifications to, and the enforcement thereof, and for a designation of mail and e-mail addresses for service, including instructions for completion.

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

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

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

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

7. The clerk of the court in each county shall make available informational brochures on domestic violence when such brochures are provided by local certified domestic violence

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204 centers.

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

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

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

PETITION FOR  
INJUNCTION FOR PROTECTION  
AGAINST DOMESTIC VIOLENCE

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

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

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

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

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

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

Race.....

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233           Sex.....

234           Date of birth.....

235           Height.....

236           Weight.....

237           Eye color.....

238           Hair color.....

239           Distinguishing marks or scars.....

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

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

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

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

256 Case numbers should be included if available.

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

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

265 .....

266 .....

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

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

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

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

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

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

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

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

290 ....another order of protection issued against him or her

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291 previously or from another jurisdiction (if known).

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

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

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

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

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

305  
306 ....Petitioner needs the exclusive use and possession of  
307 the dwelling that the parties share.

308 ....Petitioner is unable to obtain safe alternative housing  
309 because:

310  
311 ....Petitioner genuinely fears that respondent imminently  
312 will abuse, remove, or hide the minor child or children from  
313 petitioner because:

314  
315 (j) Petitioner genuinely fears imminent domestic violence  
316 by respondent.

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

319 ....Immediately restraining the respondent from committing

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320 any acts of domestic violence.

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

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

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

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

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

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

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

345

346 (c) Every petition for an injunction against domestic  
347 violence must contain, directly above the signature line, a  
348 statement in all capital letters and bold type not smaller than

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349 the surrounding text, as follows:

350

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

357

358 ... (initials) ...

359

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

366 (4) Upon the filing of the petition, the court shall review  
367 the petition ex parte and must set a final hearing to be held at  
368 the earliest possible time if it appears the petitioner is a  
369 victim of domestic violence or has reasonable cause to believe  
370 he or she is in imminent danger of becoming a victim of domestic  
371 violence. If a final hearing is set, the respondent must shall  
372 be personally served by a law enforcement officer with a copy of  
373 the petition, financial affidavit, Uniform Child Custody  
374 Jurisdiction and Enforcement Act affidavit, if any, notice of  
375 final hearing, and temporary injunction, if any, before prior to  
376 the final hearing.

377 (5) (a) Upon review of the petition, if it appears to the

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378 court that an immediate and present danger of domestic violence  
379 exists, the court may grant a temporary injunction *ex parte*,  
380 pending a final full hearing, and may grant such relief as the  
381 court deems proper, including an injunction:

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

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

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

402 4. If the petitioner and respondent have an existing  
403 parenting plan or time-sharing schedule under another court  
404 order, designating that the exchange of the minor child or  
405 children of the parties must occur at a neutral safe exchange  
406 location as provided in s. 125.01(8) or a location authorized by

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

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

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

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

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

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

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

464 4. If the petitioner and respondent have an existing

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

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

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

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

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

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

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

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

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

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

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

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

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

522 6. Whether the respondent has physically restrained the

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523 petitioner from leaving the home or calling law enforcement.

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

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

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

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

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

543  
544 In making its determination under this paragraph, the court is  
545 not limited to those factors enumerated in subparagraphs 1.-11.

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

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552 to other civil or criminal remedies.

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

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

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

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

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

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

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

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

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581       3. The respondent, in this state or any other state, has  
582 had at any time a prior injunction for protection entered  
583 against the respondent after a hearing with notice.

584       (f) The fact that a separate order of protection is granted  
585 to each opposing party is not legally sufficient to deny any  
586 remedy to either party or to prove that the parties are equally  
587 at fault or equally endangered.

588       (g) A final ~~judgment on~~ injunction for protection against  
589 domestic violence entered under this section must, on its face,  
590 indicate that it is a violation of s. 790.233, and a first  
591 degree misdemeanor, for the respondent to have in his or her  
592 care, custody, possession, or control any firearm or ammunition.

593       (h) All proceedings under this subsection shall be  
594 recorded. Recording may be by electronic means as provided by  
595 the Rules of General Practice and Judicial Administration.

596       (7) The court shall allow an advocate from a state  
597 attorney's office, an advocate from a law enforcement agency, or  
598 an advocate from a certified domestic violence center who is  
599 registered under s. 39.905 to be present with the petitioner or  
600 respondent during any court proceedings or hearings related to  
601 the injunction for protection, provided the petitioner or  
602 respondent has made such a request and the advocate is able to  
603 be present.

604       (8) (a)1. Within 24 hours after the court sets the case for  
605 a final hearing ~~issues an injunction for protection against~~  
606 ~~domestic violence~~, the clerk of the court shall electronically  
607 transmit a copy of the petition, a form for the designation of  
608 mail and e-mail address for service, financial affidavit,  
609 Uniform Child Custody Jurisdiction and Enforcement Act

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610 affidavit, if any, notice of hearing, and temporary injunction,  
611 if any, to the sheriff or a law enforcement agency of the county  
612 where the respondent resides or can be found, who shall serve it  
613 upon the respondent as soon thereafter as possible on any day of  
614 the week and at any time of the day or night. The respondent  
615 shall inform the clerk of the court of the respondent's  
616 designated mail or e-mail address for subsequent service within  
617 1 business day after the respondent has been personally served.  
618 An electronic copy of the temporary an injunction must be  
619 certified by the clerk of the court, and the electronic copy  
620 must be served in the same manner as a certified copy. Upon  
621 receiving an electronic copy of the temporary injunction, the  
622 sheriff must verify receipt with the sender before attempting to  
623 serve it upon the respondent. In addition, if the sheriff is in  
624 possession of a temporary an injunction for protection that has  
625 been certified by the clerk of the court, the sheriff may  
626 electronically transmit a copy of that temporary injunction to a  
627 law enforcement officer who shall serve it in the same manner as  
628 a certified copy. The clerk of the court is responsible for  
629 furnishing to the sheriff such information on the respondent's  
630 physical description and location as is required by the  
631 department to comply with the verification procedures set forth  
632 in this section. Notwithstanding any other law to the contrary,  
633 the chief judge of each circuit, in consultation with the  
634 appropriate sheriff, may authorize a law enforcement agency  
635 within the jurisdiction to effect service. A law enforcement  
636 agency serving injunctions pursuant to this section must use  
637 service and verification procedures consistent with those of the  
638 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) A court may not issue mutual orders of protection;  
790 however, the court is not precluded from issuing separate  
791 injunctions for protection against repeat violence, sexual  
792 violence, or dating violence if each party has complied with  
793 this section. Compliance with this section may not be waived.

794 (3) (a) The clerk of the court shall provide a copy of this  
795 section, Supreme Court-approved family law forms for the  
796 injunction and any modifications to and the enforcement thereof,  
797 and for a designation of mail and e-mail address for service  
798 simplified forms, and clerical assistance for the preparation  
799 and filing of such a petition by any person who is not  
800 represented by counsel.

801 (4)

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

804

805 PETITION FOR INJUNCTION FOR PROTECTION

806 AGAINST REPEAT VIOLENCE, SEXUAL

807 VIOLENCE, OR DATING VIOLENCE

808

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

811 1. Petitioner resides at ... (address) ... (A petitioner for

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

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

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

823

824

825

826

827

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

832

833

834

835

836

837 c. Petitioner is a victim of dating violence and has  
838 reasonable cause to believe that he or she is in imminent danger  
839 of becoming the victim of another act of dating violence or has  
840 reasonable cause to believe that he or she is in imminent danger  
841 of becoming a victim of dating violence, as demonstrated by the

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

848

849

850

851

852

853 4. Petitioner genuinely fears repeat violence by the  
854 respondent.

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

863

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

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871 mail addresses, notice of final hearing, and temporary  
872 injunction, if any, before prior to the final hearing.

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

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

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

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

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

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

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

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

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

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

928 2. Law enforcement officers may use their arrest powers

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929 pursuant to s. 901.15(6) to enforce the terms of the injunction.

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

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

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

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958 law enforcement officer who shall serve it in the same manner as  
959 a certified copy. The clerk of the court is responsible for  
960 furnishing to the sheriff such information on the respondent's  
961 physical description and location as is required by the  
962 department to comply with the verification procedures set forth  
963 in this section. Notwithstanding any other law to the contrary,  
964 the chief judge of each circuit, in consultation with the  
965 appropriate sheriff, may authorize a law enforcement agency  
966 within the chief judge's jurisdiction to effect this type of  
967 service and to receive a portion of the service fee. A person  
968 may not serve or execute a temporary an injunction issued under  
969 this section unless the person is a law enforcement officer as  
970 defined in chapter 943.

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

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

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

1000

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

1008 4. All proceedings under this paragraph must be recorded.

1009 Recording may be by electronic means as provided by the Rules of  
1010 General Practice and Judicial Administration.

1011 (b) A Domestic, Dating, Sexual, and Repeat Violence  
1012 Injunction Statewide Injunction Verification System is created  
1013 within the Department of Law Enforcement. The department shall  
1014 establish, implement, and maintain a statewide communication  
1015 system capable of electronically transmitting information to and

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1016 between criminal justice agencies relating to domestic violence  
1017 injunctions, dating violence injunctions, sexual violence  
1018 injunctions, and repeat violence injunctions, and stalking  
1019 injunctions issued by the courts throughout the state. Such  
1020 information must include, but is not limited to, information as  
1021 to the existence and status of any injunction for verification  
1022 purposes.

1023 (c)1. Within 24 hours after the court issues an injunction  
1024 for protection against repeat violence, sexual violence, or  
1025 dating violence or changes or vacates an injunction for  
1026 protection against repeat violence, sexual violence, or dating  
1027 violence, the clerk of the court must electronically transmit a  
1028 copy of the injunction to the sheriff with jurisdiction over the  
1029 residence of the petitioner.

1030 2. Within 24 hours after service of process of an  
1031 injunction for protection against repeat violence, sexual  
1032 violence, or dating violence upon a respondent, the law  
1033 enforcement officer must electronically transmit the written  
1034 proof of service of process to the sheriff with jurisdiction  
1035 over the residence of the petitioner.

1036 3. Within 24 hours after the sheriff receives a certified  
1037 copy of the injunction for protection against repeat violence,  
1038 sexual violence, or dating violence, the sheriff must make  
1039 information relating to the injunction available to other law  
1040 enforcement agencies by electronically transmitting such  
1041 information to the department.

1042 4. Within 24 hours after the sheriff or other law  
1043 enforcement officer has made service upon the respondent and the  
1044 sheriff has been so notified, the sheriff must make information

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1045 relating to the service available to other law enforcement  
1046 agencies by electronically transmitting such information to the  
1047 department.

1048 5. Within 24 hours after the court issues a final  
1049 injunction for protection after a hearing or changes, continues,  
1050 extends, or vacates an injunction for protection against repeat,  
1051 sexual, or dating violence, the clerk must mail or e-mail  
1052 certified copies of the injunction order to the last known  
1053 physical or e-mail address of each party. Service by mail or e-  
1054 mail is complete upon mailing or e-mailing. When an order is  
1055 served pursuant to this subsection, the clerk shall prepare a  
1056 written certification to be placed in the court file specifying  
1057 the time, date, and method of service. The clerk of the court  
1058 shall electronically transmit a certified copy of the injunction  
1059 to the sheriff with jurisdiction over the residence of the  
1060 petitioner. Within 24 hours after the sheriff receives a  
1061 certified copy of the injunction for protection against domestic  
1062 violence under this subsection, the sheriff must make  
1063 information relating to the injunction available to other law  
1064 enforcement agencies by electronically transmitting such  
1065 information to the department.

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

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1074 notification must include, at a minimum, the date, time, and  
1075 location where the injunction for protection against repeat  
1076 violence, sexual violence, or dating violence was served. The  
1077 Florida Association of Court Clerks and Comptrollers may apply  
1078 for any available grants to fund the development of the  
1079 automated process.

1080 7.6. Within 24 hours after an injunction for protection  
1081 against repeat violence, sexual violence, or dating violence is  
1082 lifted, terminated, or otherwise rendered no longer effective by  
1083 ruling of the court, the clerk of the court must notify the  
1084 sheriff or local law enforcement agency receiving original  
1085 notification of the injunction as provided in subparagraph 2.  
1086 That agency shall, within 24 hours after receiving such  
1087 notification from the clerk of the court, notify the department  
1088 of such action of the court.

1089 (d) The petitioner may request a Hope Card under s. 741.311  
1090 after the court has issued a final injunction order of  
1091 protection.

1092 (9) (a) The court shall enforce, through a civil or criminal  
1093 contempt proceeding, a violation of the temporary or final an  
1094 injunction for protection. The court may enforce the  
1095 respondent's compliance with the injunction by imposing a  
1096 monetary assessment. The clerk of the court shall collect and  
1097 receive such assessments. On a monthly basis, the clerk shall  
1098 transfer the moneys collected pursuant to this paragraph to the  
1099 State Treasury for deposit in the Crimes Compensation Trust Fund  
1100 established in s. 960.21.

1101 (b) If the respondent is arrested by a law enforcement  
1102 officer under s. 901.15(6) for committing an act of repeat

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1103 violence, sexual violence, or dating violence in violation of a  
1104 temporary or final an injunction for protection, the respondent  
1105 shall be held in custody until brought before the court as  
1106 expeditiously as possible for the purpose of enforcing the  
1107 injunction and for admittance to bail in accordance with chapter  
1108 903 and the applicable rules of criminal procedure, pending a  
1109 hearing.

1110 Section 3. Section 784.0485, Florida Statutes, is amended  
1111 to read:

1112 784.0485 Stalking; injunction; powers and duties of court  
1113 and clerk; petition; notice and hearing; temporary injunction;  
1114 issuance of injunction; Statewide Injunction Verification  
1115 System; enforcement.—

1116 (1) There is created a cause of action for an injunction  
1117 for protection against stalking. For the purposes of injunctions  
1118 for protection against stalking under this section, the offense  
1119 of stalking shall include the offense of cyberstalking.

1120 (a) A person who is the victim of stalking or the parent or  
1121 legal guardian of a minor child who is living at home who seeks  
1122 an injunction for protection against stalking on behalf of the  
1123 minor child has standing in the circuit court to file a verified  
1124 petition for an injunction for protection against stalking.

1125 (b) The cause of action for an injunction for protection  
1126 may be sought regardless of whether any other cause of action is  
1127 currently pending between the parties. However, the pendency of  
1128 any such cause of action shall be alleged in the petition.

1129 (c) The cause of action for an injunction may be sought by  
1130 any affected person.

1131 (d) The cause of action for an injunction does not require

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1132 either party to be represented by an attorney.

1133 (e) The court may not issue mutual orders of protection;  
1134 however, the court is not precluded from issuing separate  
1135 injunctions for protection against stalking if each party has  
1136 complied with this section. Compliance with this section may not  
1137 be waived.

1138 (f) Notwithstanding chapter 47, a petition for an  
1139 injunction for protection against stalking may be filed in the  
1140 circuit where the petitioner currently or temporarily resides,  
1141 where the respondent resides, or where the stalking occurred.  
1142 There is no minimum requirement of residency to petition for an  
1143 injunction for protection.

1144 (2) (a) Notwithstanding any other law, the clerk of court  
1145 may not assess a filing fee to file a petition for protection  
1146 against stalking. However, subject to legislative appropriation,  
1147 the clerk of the circuit court may, on a quarterly basis, submit  
1148 to the Justice Administrative Commission a certified request for  
1149 reimbursement for petitions for protection against stalking  
1150 issued by the court, at the rate of \$40 per petition. The  
1151 request for reimbursement must be submitted in the form and  
1152 manner prescribed by the Justice Administrative Commission. From  
1153 this reimbursement, the clerk shall pay any law enforcement  
1154 agency serving the injunction the fee requested by the law  
1155 enforcement agency; however, this fee may not exceed \$20.

1156 (b) A bond is not required by the court for the entry of an  
1157 injunction.

1158 (c) 1. The clerk of the court shall assist petitioners in  
1159 seeking both injunctions for protection against stalking and  
1160 enforcement of a violation thereof as specified in this section.

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1161        2. All offices of the clerk of the court shall provide  
1162        Supreme Court-approved family law simplified petition forms for  
1163        the injunction and any modifications to and the enforcement  
1164        thereof, and for a designation of mail and e-mail addresses for  
1165        service, including instructions for completion.

1166        3. The clerk of the court shall ensure the petitioner's  
1167        privacy to the extent practicable while completing the forms for  
1168        an injunction for protection against stalking.

1169        4. The clerk of the court shall provide a petitioner with a  
1170        minimum of two certified copies of the order of injunction, one  
1171        of which is serviceable and will inform the petitioner of the  
1172        process for service and enforcement.

1173        5. The clerk of the court and appropriate staff in each  
1174        county shall receive training in the effective assistance of  
1175        petitioners as provided or approved by the Florida Association  
1176        of Court Clerks and Comptrollers.

1177        6. The clerk of the court in each county shall make  
1178        available informational brochures on stalking when such a  
1179        brochure is provided by the local certified domestic violence  
1180        center or certified rape crisis center.

1181        7. The clerk of the court in each county shall distribute a  
1182        statewide uniform informational brochure to petitioners at the  
1183        time of filing for an injunction for protection against stalking  
1184        when such brochures become available. The brochure must include  
1185        information about the effect of giving the court false  
1186        information.

1187        (3) (a) The verified petition shall allege the existence of  
1188        such stalking and shall include the specific facts and  
1189        circumstances for which relief is sought.

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1190 (b) The verified petition shall be in substantially the  
1191 following form:

PETITION FOR INJUNCTION  
FOR PROTECTION AGAINST STALKING

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

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: ....

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(c) The petitioner shall describe any other cause of action currently pending between the petitioner and respondent. The petitioner shall also describe any previous attempt by the petitioner to obtain an injunction for protection against stalking in this or any other circuit, and the result of that attempt. (Case numbers should be included, if available.)

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

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

.... Committed stalking.

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

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

.... Intentionally injured or killed a family pet.

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

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

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

.... Destroyed personal property, including, but not

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1248 limited to, telephones or other communication equipment,  
1249 clothing, or other items belonging to the petitioner.

1250  
1251 (e) The petitioner seeks an injunction:

1252  
1253 (Mark appropriate section or sections.)

1254  
1255 .... Immediately restraining the respondent from committing  
1256 any acts of stalking.

1257 .... Restraining the respondent from committing any acts of  
1258 stalking.

1259 .... Providing any terms the court deems necessary for the  
1260 protection of a victim of stalking, including any injunctions or  
1261 directives to law enforcement agencies.

1262  
1263 (f) Every petition for an injunction against stalking must  
1264 contain, directly above the signature line, a statement in all  
1265 capital letters and bold type not smaller than the surrounding  
1266 text, as follows:

1267  
1268 UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ  
1269 THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT  
1270 ARE TRUE. I UNDERSTAND THAT THE STATEMENTS MADE IN  
1271 THIS PETITION ARE BEING MADE UNDER PENALTIES OF  
1272 PERJURY, PUNISHABLE AS PROVIDED IN SECTION 92.525,  
1273 FLORIDA STATUTES.

1274  
1275 ... (initials) ...  
1276

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1277       (4) Upon the filing of the petition, the court shall review  
1278       the petition ex parte and must set a final hearing to be held at  
1279       the earliest possible time if it appears that the petitioner is  
1280       a victim of stalking. If a final hearing is set, the respondent  
1281       must shall be personally served by a law enforcement officer  
1282       with a copy of the petition, notice of hearing, and temporary  
1283       injunction, if any, before the final hearing.

1284       (5) (a) Upon review of the petition, if it appears to the  
1285       court that stalking exists, the court may grant a temporary  
1286       injunction ex parte, pending a final full hearing, and may grant  
1287       such relief as the court deems proper, including an injunction  
1288       restraining the respondent from committing any act of stalking.

1289       (b) Except as provided in s. 90.204, in an ex parte review  
1290       or an a hearing ex parte hearing for the purpose of obtaining  
1291       such ex parte temporary injunction, evidence other than verified  
1292       pleadings or affidavits may not be used as evidence, unless the  
1293       respondent appears at the hearing or has received reasonable  
1294       notice of the hearing. A denial of a petition for an ex parte  
1295       temporary injunction shall be by written order noting the legal  
1296       grounds for denial. If the only ground for denial is no  
1297       appearance of an immediate and present danger of stalking, the  
1298       court shall set a final full hearing on the petition for  
1299       injunction with notice at the earliest possible time. This  
1300       paragraph does not affect a petitioner's right to promptly amend  
1301       any petition, or otherwise be heard in person on any petition  
1302       consistent with the Florida Rules of Civil Procedure.

1303       (c) Any such ex parte temporary injunction is effective for  
1304       a fixed period not to exceed 15 days. If a final full hearing is  
1305       set, as provided in this section, the hearing shall be set for a

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1306 date no later than the date when the temporary injunction ceases  
1307 to be effective. The court may grant a continuance of the  
1308 hearing before or during the a hearing for good cause shown by  
1309 any party, which shall include a continuance to obtain service  
1310 of process. An injunction shall be extended if necessary to  
1311 remain in full force and effect during any period of  
1312 continuance.

1313 (6) (a) Upon notice and final hearing, when it appears to  
1314 the court that the petitioner is the victim of stalking, the  
1315 court may grant such relief as the court deems proper, including  
1316 an injunction:

1317 1. Restraining the respondent from committing any act of  
1318 stalking.

1319 2. Ordering the respondent to participate in treatment,  
1320 intervention, or counseling services to be paid for by the  
1321 respondent.

1322 3. Referring a petitioner to appropriate services. The  
1323 court may provide the petitioner with a list of certified  
1324 domestic violence centers, certified rape crisis centers, and  
1325 other appropriate referrals in the circuit which the petitioner  
1326 may contact.

1327 4. Ordering such other relief as the court deems necessary  
1328 for the protection of a victim of stalking, including  
1329 injunctions or directives to law enforcement agencies, as  
1330 provided in this section.

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

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1335 any time to modify or dissolve the injunction. Specific  
1336 allegations are not required. Such relief may be granted in  
1337 addition to other civil or criminal remedies.

1338 (c) A temporary or final ~~judgment on~~ injunction for  
1339 protection against stalking entered pursuant to this section  
1340 shall, on its face, indicate:

1341 1. That the injunction is valid and enforceable in all  
1342 counties of this state.

1343 2. That law enforcement officers may use their arrest  
1344 powers pursuant to s. 901.15(6) to enforce the terms of the  
1345 injunction.

1346 3. That the court has jurisdiction over the parties and  
1347 matter under the laws of this state and that reasonable notice  
1348 and opportunity to be heard was given to the person against whom  
1349 the order is sought sufficient to protect that person's right to  
1350 due process.

1351 4. The date that the respondent was served with the  
1352 temporary or final injunction order, if obtainable.

1353 (d) The fact that a separate ~~injunction order of protection~~  
1354 is granted to each opposing party is not legally sufficient to  
1355 deny any remedy to either party or to prove that the parties are  
1356 equally at fault or equally endangered.

1357 (e) A final ~~judgment on an~~ injunction for protection  
1358 against stalking entered pursuant to this section must, on its  
1359 face, provide that it is a violation of s. 790.233 and a  
1360 misdemeanor of the first degree for the respondent to have in  
1361 his or her care, custody, possession, or control any firearm or  
1362 ammunition.

1363 (f) All proceedings under this subsection shall be

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1364 recorded. Recording may be by electronic means as provided by  
1365 the Rules of General Practice and Judicial Administration.

1366 (7) The court shall allow an advocate from a state  
1367 attorney's office, a law enforcement agency, a certified rape  
1368 crisis center, or a certified domestic violence center who is  
1369 registered under s. 39.905 to be present with the petitioner or  
1370 respondent during any court proceedings or hearings related to  
1371 the injunction for protection if the petitioner or respondent  
1372 has made such a request and the advocate is able to be present.

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

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1393 that temporary injunction to a law enforcement officer who shall  
1394 serve it in the same manner as a certified copy. The clerk of  
1395 the court shall furnish to the sheriff such information  
1396 concerning the respondent's physical description and location as  
1397 is required by the Department of Law Enforcement to comply with  
1398 the verification procedures set forth in this section.  
1399 Notwithstanding any other law, the chief judge of each circuit,  
1400 in consultation with the appropriate sheriff, may authorize a  
1401 law enforcement agency within the jurisdiction to effect  
1402 service. A law enforcement agency serving injunctions pursuant  
1403 to this section must use service and verification procedures  
1404 consistent with those of the sheriff.

1405 2. If an injunction is issued and the petitioner requests  
1406 the assistance of a law enforcement agency, the court may order  
1407 that an officer from the appropriate law enforcement agency  
1408 accompany the petitioner to assist in the execution or service  
1409 of the temporary or final injunction. A law enforcement officer  
1410 must accept a copy of a temporary or final injunction for  
1411 protection against stalking, certified by the clerk of the  
1412 court, from the petitioner and immediately serve it upon a  
1413 respondent who has been located but not yet served.

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

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1422 that service was effected. If delivery at the hearing is not  
1423 possible, or the parties have appeared through audio-video  
1424 communication technology, the clerk shall mail or e-mail  
1425 certified copies of the order to the parties at the last known  
1426 physical or e-mail address of each party. Service by mail or e-  
1427 mail is complete upon mailing or e-mailing. When an order is  
1428 served by the clerk of the court pursuant to this subsection,  
1429 the clerk shall prepare a written certification to be placed in  
1430 the court file specifying the time, date, and method of service  
1431 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, any subsequent  
1437 temporary or final injunction, or any subsequent order may be  
1438 served on the respondent by the clerk of the court by certified  
1439 mail or e-mail in lieu of personal service by a law enforcement  
1440 officer.

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

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1451 purposes.

1452 (b)1. Subsequent to the original service of documents in  
1453 subparagraph (a)1., the clerk of the court, within 24 hours  
1454 after the court issues a final an injunction for protection  
1455 against stalking or changes, continues, extends, or vacates a  
1456 temporary an injunction for protection against stalking, the  
1457 clerk of the court must electronically transmit a certified copy  
1458 of the injunction for service to the sheriff having jurisdiction  
1459 over the residence of the petitioner. The clerk must mail or e-  
1460 mail certified copies of the order to the parties to the last  
1461 known physical or e-mail address of each party. Service by mail  
1462 or e-mail is complete upon mailing or e-mailing. When an order  
1463 is served pursuant to this subsection, the clerk shall prepare a  
1464 written certification to be placed in the court file specifying  
1465 the time, date, and method of service and shall electronically  
1466 transmit a certified copy of the order to the sheriff with  
1467 jurisdiction over the residence of the petitioner. The injunction  
1468 must be served in accordance with this subsection.

1469 2. Within 24 hours after service of process of an  
1470 injunction for protection against stalking upon a respondent,  
1471 the law enforcement officer must electronically transmit the  
1472 written proof of service of process to the sheriff having  
1473 jurisdiction over the residence of the petitioner.

1474 3. Within 24 hours after the sheriff receives a certified  
1475 copy of the injunction for protection against stalking, the  
1476 sheriff must make information relating to the injunction  
1477 available to other law enforcement agencies by electronically  
1478 transmitting such information to the Department of Law  
1479 Enforcement.

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1480           4. Within 24 hours after the sheriff or other law  
1481 enforcement officer has made service upon the respondent and the  
1482 sheriff has been so notified, the sheriff must make information  
1483 relating to the service available to other law enforcement  
1484 agencies by electronically transmitting such information to the  
1485 Department of Law Enforcement.

1486           5. Within 24 hours after the court issues a final  
1487 injunction for protection after a hearing or changes, continues,  
1488 extends, or vacates an injunction for protection against  
1489 ~~stalking is vacated, terminated, or otherwise rendered no longer~~  
1490 effective by ruling of the court, the clerk of the court must  
1491 mail or e-mail certified copies of the injunction order to the  
1492 last known physical or e-mail address of each party. Service by  
1493 mail or e-mail is complete upon mailing or e-mailing. When an  
1494 order is served pursuant to this subsection, the clerk shall  
1495 prepare a written certification to be placed in the court file  
1496 specifying the time, date, and method of service. The clerk of  
1497 the court must electronically transmit a certified copy of the  
1498 injunction to the sheriff with jurisdiction over the residence  
1499 of the petitioner. Within 24 hours after the sheriff receives a  
1500 certified copy of the injunction for protection against stalking  
1501 under this subsection, the sheriff must make information  
1502 relating to the injunction available to other law enforcement  
1503 agencies by electronically transmitting such information to  
1504 notify the sheriff receiving original notification of the  
1505 injunction as provided in subparagraph 2. That agency shall,  
1506 within 24 hours after receiving such notification from the clerk  
1507 of the court, notify the Department of Law Enforcement of such  
1508 action of the court.

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(c) The petitioner may request a Hope Card under s. 741.311 after the court has issued a final injunction ~~order of protection~~.

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

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

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

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

61.1825 State Case Registry.—

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

1. A party executes a sworn statement requesting that a family violence indicator be placed on that party's record which states that the party has reason to believe that release of information to the Federal Case Registry may result in physical

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1538 or emotional harm to the party or the child; or  
1539       2. A temporary or final injunction for protection against  
1540 domestic violence has been granted pursuant to s. 741.30(6), an  
1541 injunction for protection against domestic violence has been  
1542 issued by a court of a foreign state pursuant to s. 741.315, or  
1543 a temporary or final injunction for protection against repeat  
1544 violence has been granted pursuant to s. 784.046; or

1545       3. The department has received information on a Title IV-D  
1546 case from the ~~Statewide Domestic, Dating, Sexual, and Repeat~~  
1547 ~~Violence Injunction~~ ~~Statewide~~ Verification System, established  
1548 pursuant to s. 784.046(8)(b), that a court has granted a party a  
1549 domestic violence or repeat violence injunction.

1550       Section 5. Paragraph (e) of subsection (2) of section  
1551 943.05, Florida Statutes, is amended to read:

1552       943.05 Criminal Justice Information Program; duties; crime  
1553 reports.—

1554       (2) The program shall:

1555       (e) Establish, implement, and maintain a ~~Statewide Domestic~~  
1556 ~~and Repeat Violence Injunction~~ ~~Statewide~~ Verification System  
1557 capable of electronically transmitting information to and  
1558 between criminal justice agencies relating to domestic violence  
1559 injunctions, injunctions to prevent child abuse issued under  
1560 chapter 39, and repeat violence injunctions issued by the courts  
1561 throughout the state. Such information must include, but is not  
1562 limited to, information as to the existence and status of any  
1563 such injunction for verification purposes.

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

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1567 Statutes, is reenacted to read:

1568 39.504 Injunction; penalty.—

1569 (5) Service of process on the respondent shall be carried  
1570 out pursuant to s. 741.30. The department shall deliver a copy  
1571 of any injunction issued pursuant to this section to the  
1572 protected party or to a parent, caregiver, or individual acting  
1573 in the place of a parent who is not the respondent. Law  
1574 enforcement officers may exercise their arrest powers as  
1575 provided in s. 901.15(6) to enforce the terms of the injunction.

1576 Section 7. For the purpose of incorporating the amendment  
1577 made by this act to section 741.30, Florida Statutes, in a  
1578 reference thereto, paragraph (b) of subsection (3) of section  
1579 44.407, Florida Statutes, is reenacted to read:

1580 44.407 Elder-focused dispute resolution process.—

1581 (3) REFERRAL.—

1582 (b) The court may not refer a party who has a history of  
1583 domestic violence or exploitation of an elderly person to  
1584 eldercaring coordination unless the elder and other parties in  
1585 the action consent to such referral.

1586 1. The court shall offer each party an opportunity to  
1587 consult with an attorney or a domestic violence advocate before  
1588 accepting consent to such referral. The court shall determine  
1589 whether each party has given his or her consent freely and  
1590 voluntarily.

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

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1596 pattern of behaviors that exert power and control over another  
1597 party and that may compromise another party's ability to  
1598 negotiate a fair result; or engaged in behavior that leads  
1599 another party to have reasonable cause to believe that he or she  
1600 is in imminent danger of becoming a victim of domestic violence.  
1601 The court shall consider and evaluate all relevant factors,  
1602 including, but not limited to, the factors specified in s.  
1603 741.30(6)(b).

1604 3. If a party has a history of domestic violence or  
1605 exploitation of an elderly person, the court must order  
1606 safeguards to protect the safety of the participants and the  
1607 elder and the elder's property, including, but not limited to,  
1608 adherence to all provisions of an injunction for protection or  
1609 conditions of bail, probation, or a sentence arising from  
1610 criminal proceedings.

1611 Section 8. For the purpose of incorporating the amendment  
1612 made by this act to section 741.30, Florida Statutes, in a  
1613 reference thereto, paragraph (b) of subsection (4) of section  
1614 61.125, Florida Statutes, is reenacted to read:

1615 61.125 Parenting coordination.—

1616 (4) DOMESTIC VIOLENCE ISSUES.—

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

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1625 to have reasonable cause to believe he or she is in imminent  
1626 danger of becoming a victim of domestic violence. The court  
1627 shall consider and evaluate all relevant factors, including, but  
1628 not limited to, the factors listed in s. 741.30(6)(b).

1629 Section 9. For the purpose of incorporating the amendment  
1630 made by this act to section 741.30, Florida Statutes, in a  
1631 reference thereto, subsection (1) of section 741.29, Florida  
1632 Statutes, is reenacted to read:

1633 741.29 Domestic violence; investigation of incidents;  
1634 notice to victims of legal rights and remedies; reporting.—

1635 (1) Any law enforcement officer who investigates an alleged  
1636 incident of domestic violence shall:

1637 (a) Assist the victim to obtain medical treatment if such  
1638 is required as a result of the alleged incident to which the  
1639 officer responds;

1640 (b) Advise the victim of such violence that there is a  
1641 domestic violence center from which the victim may receive  
1642 services;

1643 (c) Administer a lethality assessment consistent with the  
1644 requirements established in subsection (2) if the allegation of  
1645 domestic violence is against an intimate partner, regardless of  
1646 whether an arrest is made; and

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

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1654 state. The notice must include:

1655 1. The resource listing, including telephone number, for  
1656 the area domestic violence center designated by the Department  
1657 of Children and Families; and

1658 2. A copy of the following statement:

1659  
1660 IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you may  
1661 ask the state attorney to file a criminal complaint.  
1662 You also have the right to go to court and file a  
1663 petition requesting an injunction for protection from  
1664 domestic violence which may include, but need not be  
1665 limited to, provisions which restrain the abuser from  
1666 further acts of abuse; direct the abuser to leave your  
1667 household; prevent the abuser from entering your  
1668 residence, school, business, or place of employment;  
1669 award you custody of your minor child or children; and  
1670 direct the abuser to pay support to you and the minor  
1671 children if the abuser has a legal obligation to do  
1672 so.

1673  
1674 Section 10. This act shall take effect July 1, 2026.