

1 A bill to be entitled
2 An act relating to injunctions for protection against
3 domestic violence based on marriage fraud; providing a
4 short title; amending s. 741.28, F.S.; revising the
5 definition of the term "domestic violence"; defining
6 the term "marriage fraud"; amending s. 741.30, F.S.;
7 revising a petition for injunction for protection
8 against domestic violence; requiring the clerk of
9 court to electronically transmit certain documentation
10 to the State Board of Immigration Enforcement within a
11 specified time period under certain circumstances;
12 requiring a representative of the State Board of
13 Immigration Enforcement to initiate contact with a
14 petitioner within a specified time period; providing
15 an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:
18

19 **Section 1.** This act may be cited as "Shawnya's Law."

20 **Section 2.** **Subsection (2) of section 741.28, Florida**
21 **Statutes, is amended, and subsection (5) is added to that**
22 **section, to read:**

23 741.28 Domestic violence; definitions.—As used in ss.
24 741.28-741.31:

25 (2) "Domestic violence" means any assault, aggravated

26 assault, battery, aggravated battery, sexual assault, sexual
27 battery, stalking, aggravated stalking, kidnapping, false
28 imprisonment, marriage fraud, voyeurism or digital voyeurism of
29 intimate areas including bedrooms, bathrooms, or any place in
30 which there is an expectation of privacy, or any other criminal
31 offense resulting in physical injury or death of one family or
32 household member by another family or household member.

33 (5) "Marriage fraud" means an intentional deception,
34 omission, or misrepresentation made by a foreign national, as
35 defined in s. 106.08(12)(a)1.d. or e., when entering into a
36 marriage with a citizen or lawful resident of the United States
37 for the primary purpose of evading state or federal law or
38 receiving benefits that inure solely by virtue of the marriage,
39 and such foreign national engages in acts of manipulation,
40 abuse, coercion, and emotional or financial harm.

41 **Section 3. Paragraph (d) of subsection (8) of section**
42 **741.30, Florida Statutes, is redesignated as paragraph (e),**
43 **paragraph (b) of subsection (3) is amended, and a new paragraph**
44 **(d) is added to subsection (8) of that section, to read:**

45 741.30 Domestic violence; injunction; powers and duties of
46 court and clerk; petition; notice and hearing; temporary
47 injunction; issuance of injunction; statewide verification
48 system; enforcement; public records exemption.—

49 (3)

50 (b) The verified petition shall be in substantially the

51 following form:

52 PETITION FOR
53 INJUNCTION FOR PROTECTION
54 AGAINST DOMESTIC VIOLENCE

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

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

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

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

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

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

66 Race.....

67 Sex.....

68 Date of birth.....

69 Height.....

70 Weight.....

71 Eye color.....

72 Hair color.....

73 Distinguishing marks or scars.....

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

75 (f) The respondent is:

76 1. The spouse or former spouse of the petitioner.....

77 2. ~~or is~~ Any other person related by blood or marriage to
78 the petitioner.....

79 3. ~~or is~~ Any other person who is or was residing within a
80 single dwelling unit with the petitioner, as if a
81 family.....

82 4. ~~, or is~~ A person with whom the petitioner has a child
83 in common, regardless of whether the petitioner and respondent
84 are or were married or residing together, as if a
85 family.....

86 5. An alien fiancé(e) in the United States on a K-1
87 nonimmigrant visa or an alien spouse in the United States on a
88 Permanent Resident Card (green card).....

89 (g) The following describes any other cause of action
90 currently pending between the petitioner and respondent:.....
91

92 The petitioner should also describe any previous or pending
93 attempts by the petitioner to obtain an injunction for
94 protection against domestic violence in this or any other
95 circuit, and the results of that attempt:.....
96

97 Case numbers should be included if available.

98 (h) Petitioner is either a victim of domestic violence or
99 has reasonable cause to believe he or she is in imminent danger
100 of becoming a victim of domestic violence because respondent

has: ...(mark all sections that apply and describe in the spaces below the incidents of violence or threats of violence, specifying when and where they occurred, including, but not limited to, locations such as a home, school, place of employment, or visitation exchange)...

....committed or threatened to commit domestic violence defined in s. 741.28, Florida Statutes, as any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, marriage fraud, voyeurism or digital voyeurism of intimate areas including bedrooms, bathrooms, or any place in which there is an expectation of privacy, or any other criminal offense resulting in physical injury or death of one family or household member by another. With the exception of persons who are parents of a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

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

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

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

126 intentionally injured or killed a family pet.
127 used, or has threatened to use, against the petitioner
128 any weapons such as guns or knives.
129 physically restrained the petitioner from leaving the
130 home or calling law enforcement.
131 a criminal history involving violence or the threat of
132 violence (if known).
133 another order of protection issued against him or her
134 previously or from another jurisdiction (if known).
135 destroyed personal property, including, but not limited
136 to, telephones or other communication equipment, clothing, or
137 other items belonging to the petitioner.
138 engaged in a pattern of abusive, threatening,
139 intimidating, or controlling behavior composed of a series of
140 acts over a period of time, however short.
141 committed marriage fraud or engaged in behavior or
142 conduct that leads the petitioner to have reasonable cause to
143 believe the respondent committed marriage fraud.
144 engaged in any other behavior or conduct that leads the
145 petitioner to have reasonable cause to believe he or she is in
146 imminent danger of becoming a victim of domestic violence.
147 (i) Petitioner alleges the following additional specific
148 facts: ...(mark appropriate sections)...
149 A minor child or minor children reside with the
150 petitioner whose names and ages are as follows:.....

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

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

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

....Petitioner is a victim of marriage fraud by a foreign national, as defined in s. 106.08(12)(a)1.d. or e., Florida Statutes, and has suffered the following abuse; coercion; manipulation; or reputational, emotional, or financial harm as a result:.....

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

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

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

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

....Awarding to the petitioner the temporary exclusive use

176 and possession of the dwelling that the parties share or
177 excluding the respondent from the residence of the petitioner.

178Providing a temporary parenting plan, including a
179 temporary time-sharing schedule, with regard to the minor child
180 or children of the parties which might involve prohibiting or
181 limiting time-sharing or requiring that it be supervised by a
182 third party.

183Designating that the exchange of the minor child or
184 children of the parties must occur at a neutral safe exchange
185 location as provided in s. 125.01(8) or a location authorized by
186 a supervised visitation program as defined in s. 753.01 if
187 temporary time-sharing of the child is awarded to the
188 respondent.

189Establishing temporary support for the minor child or
190 children or the petitioner.

191Directing the respondent to participate in a batterers'
192 intervention program.

193Providing any terms the court deems necessary for the
194 protection of a victim of domestic violence, or any minor
195 children of the victim, including any injunctions or directives
196 to law enforcement agencies.

197 (8)

198 (d) Within 24 hours after the court issues an injunction
199 for protection against domestic violence in which the petitioner
200 alleged to be a victim of marriage fraud or the petitioner

HB 485

2026

declared in the petition for such injunction that the respondent
is an alien fiancé(e) or alien spouse, the clerk of the court
must electronically transmit a copy of the petition; temporary
injunction, if any; and a certified copy of the order of
injunction to State Board of Immigration Enforcement for
investigation. A representative from the State Board of
Immigration Enforcement must initiate contact with the
petitioner within 30 days after receipt of the certified copy of
the order of injunction.

Section 4. This act shall take effect July 1, 2026.