

1                   A bill to be entitled  
 2           An act relating to injunctions for protection against  
 3           domestic violence, repeat violence, sexual violence, or  
 4           dating violence; amending ss. 741.30 and 784.046, F.S.;  
 5           subject to available funding, directing the Florida  
 6           Association of Court Clerks and Comptrollers to develop an  
 7           automated process by which a petitioner for an injunction  
 8           for protection may request notification of service of the  
 9           injunction or notice of other court actions related to the  
 10          injunction; requiring that notice be given to the  
 11          petitioner within a specified time; providing for the  
 12          content of the notice; authorizing the association to  
 13          apply for grants to fund the development of the automated  
 14          process; providing an effective date.

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

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 18           Section 1. Paragraph (c) of subsection (8) of section  
 19   741.30, Florida Statutes, is amended to read:

20           741.30 Domestic violence; injunction; powers and duties of  
 21   court and clerk; petition; notice and hearing; temporary  
 22   injunction; issuance of injunction; statewide verification  
 23   system; enforcement.—

24           (8)

25           (c)1. Within 24 hours after the court issues an injunction  
 26   for protection against domestic violence or changes, continues,  
 27   extends, or vacates an injunction for protection against  
 28   domestic violence, the clerk of the court must forward a

29 certified copy of the injunction for service to the sheriff with  
30 jurisdiction over the residence of the petitioner. The  
31 injunction must be served in accordance with this subsection.

32 2. Within 24 hours after service of process of an  
33 injunction for protection against domestic violence upon a  
34 respondent, the law enforcement officer must forward the written  
35 proof of service of process to the sheriff with jurisdiction  
36 over the residence of the petitioner.

37 3. Within 24 hours after the sheriff receives a certified  
38 copy of the injunction for protection against domestic violence,  
39 the sheriff must make information relating to the injunction  
40 available to other law enforcement agencies by electronically  
41 transmitting such information to the department.

42 4. Within 24 hours after the sheriff or other law  
43 enforcement officer has made service upon the respondent and the  
44 sheriff has been so notified, the sheriff must make information  
45 relating to the service available to other law enforcement  
46 agencies by electronically transmitting such information to the  
47 department.

48 5. Subject to available funding, the Florida Association  
49 of Court Clerks and Comptrollers shall develop an automated  
50 process by which a petitioner may request notification of  
51 service of the injunction for protection against domestic  
52 violence and other court actions related to the injunction for  
53 protection. The automated notice shall be made within 12 hours  
54 after the sheriff or other law enforcement officer serves the  
55 injunction upon the respondent. The notification must include,  
56 at a minimum, the date, time, and location where the injunction

57 for protection against domestic violence was served. The Florida  
58 Association of Court Clerks and Comptrollers may apply for any  
59 available grants to fund the development of the automated  
60 process.

61 ~~6.5.~~ Within 24 hours after an injunction for protection  
62 against domestic violence is vacated, terminated, or otherwise  
63 rendered no longer effective by ruling of the court, the clerk  
64 of the court must notify the sheriff receiving original  
65 notification of the injunction as provided in subparagraph 2.  
66 That agency shall, within 24 hours after receiving such  
67 notification from the clerk of the court, notify the department  
68 of such action of the court.

69 Section 2. Paragraph (c) of subsection (8) of section  
70 784.046, Florida Statutes, is amended to read:

71 784.046 Action by victim of repeat violence, sexual  
72 violence, or dating violence for protective injunction; dating  
73 violence investigations, notice to victims, and reporting;  
74 pretrial release violations.—

75 (8)

76 (c)1. Within 24 hours after the court issues an injunction  
77 for protection against repeat violence, sexual violence, or  
78 dating violence or changes or vacates an injunction for  
79 protection against repeat violence, sexual violence, or dating  
80 violence, the clerk of the court must forward a copy of the  
81 injunction to the sheriff with jurisdiction over the residence  
82 of the petitioner.

83 2. Within 24 hours after service of process of an  
84 injunction for protection against repeat violence, sexual

85 violence, or dating violence upon a respondent, the law  
86 enforcement officer must forward the written proof of service of  
87 process to the sheriff with jurisdiction over the residence of  
88 the petitioner.

89 3. Within 24 hours after the sheriff receives a certified  
90 copy of the injunction for protection against repeat violence,  
91 sexual violence, or dating violence, the sheriff must make  
92 information relating to the injunction available to other law  
93 enforcement agencies by electronically transmitting such  
94 information to the department.

95 4. Within 24 hours after the sheriff or other law  
96 enforcement officer has made service upon the respondent and the  
97 sheriff has been so notified, the sheriff must make information  
98 relating to the service available to other law enforcement  
99 agencies by electronically transmitting such information to the  
100 department.

101 5. Subject to available funding, the Florida Association  
102 of Court Clerks and Comptrollers shall develop an automated  
103 process by which a petitioner may request notification of  
104 service of the injunction for protection against repeat  
105 violence, sexual violence, or dating violence and other court  
106 actions related to the injunction for protection. The automated  
107 notice shall be made within 12 hours after the sheriff or other  
108 law enforcement officer serves the injunction upon the  
109 respondent. The notification must include, at a minimum, the  
110 date, time, and location where the injunction for protection  
111 against repeat violence, sexual violence, or dating violence was  
112 served. The Florida Association of Court Clerks and Comptrollers

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113 may apply for any available grants to fund the development of  
114 the automated process.

115 ~~6.5.~~ Within 24 hours after an injunction for protection  
116 against repeat violence, sexual violence, or dating violence is  
117 lifted, terminated, or otherwise rendered no longer effective by  
118 ruling of the court, the clerk of the court must notify the  
119 sheriff or local law enforcement agency receiving original  
120 notification of the injunction as provided in subparagraph 2.  
121 That agency shall, within 24 hours after receiving such  
122 notification from the clerk of the court, notify the department  
123 of such action of the court.

124 Section 3. This act shall take effect July 1, 2011.