

## Committee on Judiciary

### **CS/CS/SB 130 — Domestic Violence**

by Rules Committee; Judiciary Committee; and Senators Berman, Book, Hutson, Garcia, Harrell, Yarborough, Passidomo, Albritton, Avila, Baxley, Boyd, Bradley, Brodeur, Broxson, Burgess, Burton, Calatayud, Collins, Davis, DiCeglie, Grall, Gruters, Hooper, Ingoglia, Jones, Martin, Mayfield, Osgood, Perry, Pizzo, Polsky, Powell, Rodriguez, Rouson, Simon, Stewart, Thompson, Torres, Trumbull, and Wright

The bill names the act “Greyson’s Law” in memory of Greyson Kessler, a 4-year-old boy who was shot and killed by his father who then killed himself. The bill refines the descriptions of what constitutes evidence or risks of domestic violence for use in child custody determinations and in domestic violence injunction proceedings.

#### ***Parenting and Time-sharing***

The bill expands the list of factors a court must consider when determining whether shared parental responsibility, meaning shared authority to make decisions for a child, would be detrimental to a child. The new factors require the court to also consider:

- Evidence of domestic violence;
- Whether a parent, in the past or currently, has reasonable cause to believe that he or she or the minor child is or has been in imminent danger of becoming a victim of domestic violence or sexual violence by the other parent, even if no legal action has been brought or is currently pending in court;
- Whether either parent, in the past or currently, has reasonable cause to believe that the shared minor child is or has been in imminent danger of becoming a victim of abuse, abandonment, or neglect by the other parent, even if no legal action has been brought or is currently pending; and
- Any other relevant factors.

Additionally, when a parental responsibility or time-sharing schedule is established or modified by a court, the “best interest of the child” factors that the court must consider are expanded to include evidence that a parent has or has had reasonable cause to believe that he or she or the minor child is in imminent danger of becoming a victim of domestic violence.

#### ***Domestic Violence Injunction***

The bill also expands the factors a court must consider when determining whether to issue a domestic violence injunction. The court must consider whether the respondent named in the petition has engaged in a pattern of abusive or threatening behaviors which demonstrates a continuing purpose and which reasonably causes the petitioner to believe that he or she or the minor shared child is in imminent danger of becoming a victim of an act of domestic violence.

The bill allows a petitioner to select a new basis for a domestic violence injunction on the statutory petition form. The additional basis for the injunction is that the respondent has engaged

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

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

*Vote: Senate 39-0; House 117-0*