

HOUSE MESSAGE SUMMARY

BILL: CS/SB 708

[S0708.HMS]

SPONSOR: Children and Families Committee

SUBJECT: Domestic Violence

PREPARED BY: Senate Committee on Children and Families

DATE: May 5, 2000

I. Amendments Contained in Message

House Amendment 1 -- 595985 (body with title)

II. Summary of Amendments Contained in Message

House Amendment 1 strikes everything after the enacting clause to make the following revisions:

Revises the Domestic Violence bill as follows:

- ◆ Simplifies the wording for the definitions of “domestic violence” and “family or household member” in ss. 25.385, 39.902, 741.28, and 943.171, F.S.
- ◆ Amends the definitions of “domestic violence” to add the criminal offenses currently in s. 741.28, F.S., to ss. 25.385, 39.902, and 943.171, F.S.
- ◆ Amends subsection (2) of s. 90.5036, F.S., to require that domestic violence advocates claiming privileged communication need to register with the Department of Children and Family Services instead of under s. 39.905, F.S. This further clarifies that domestic violence centers do not need to be certified domestic violence centers to claim privileged communication under this section.
- ◆ Adds amendments to ss. 741.2901 and 470.002, F.S., to provide that a family or household member arrested or charged with intentionally causing the death of another family or household member is not qualified to be the “legally authorized person” for the purposes of taking responsibility for the disposition of a deceased individual.
- ◆ Revises the language relative to extensions of ex parte temporary injunctions when there is lack of service of process to place the request to the court for rule revision and adoption in a separate provision that does not amend current statute, and to strengthen s. 741.30, F.S., language relative to extensions of injunctions.
- ◆ Provides for minor language revision to s. 741.30(6), F.S., to ensure that the bill does not convey that the courts are required to enter an injunction for protection if none of the factors for considering if there is imminent danger exist.
- ◆ Amends the language to provide the court with more flexibility to address modification issues that may not have relevance to a respondent’s participation in the Batterer’s Intervention Program.
- ◆ Adds to the recording of injunction proceeding provisions that the court’s notification to parties that the proceedings will not be recorded is to also include that the parties can arrange for the court reporting of the proceedings.

- ◆ Adds the Governor's Task Force on Domestic Violence to those entities that the Office of State Courts Administrator needs to include in the examination of current practice relative to certain child support and visitation issues.

Adds HB 1871 Supervised Visitation/Children bill. The Senate Supervised Visitation/Children bill is CS/SB 310 which has been heard in committee. The provisions are funded in the general appropriation act (line item 301).

- ◆ These provisions repeals all existing sections of chapter 753., F.S., relating to Family Visitation Network, and creates provisions for the establishment, certification and funding of supervised visitation programs statewide for children and their non residential parents or other parties or individuals.
- ◆ The primary difference between the House and Senate bill is that SB 310 provides for the responsibility for certifying and monitoring the supervised visitation centers to be placed with the Department of Children and Families and the amendment places that responsibility with the Clearinghouse on Supervised Visitation.

Adds the House Uniform Child Custody and Enforcement Jurisdiction Act (HB 377), which is virtually identical with the CS/SB 1942 and has been heard in committee. These provisions create the Uniform Child Custody Jurisdiction and Enforcement Act to replace the outdated Uniform Child Custody Jurisdiction Act in Chapter 61, FS. The Senate Bill is on the calendar.

The Senate does not concur with the House amendment. In particular, the Senate does not concur with the Supervised Visitation/Children bill.