

1                                   A bill to be entitled  
 2           An act relating to risk protection orders; amending s.  
 3           790.401, F.S.; redefining the term "petitioner" to  
 4           include an individual who has a biological or legal  
 5           parent-child relationship with, who is a legal  
 6           guardian of, or who is a spouse or sibling of a  
 7           respondent, for purposes of determining standing for  
 8           the filing of a petition for a risk protection order;  
 9           conforming provisions to changes made by the act;  
 10          providing an effective date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

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 14           Section 1. Paragraph (a) of subsection (1) and paragraphs  
 15           (a), (b), (c), and (g) of subsection (2) of section 790.401,  
 16           Florida Statutes, are amended to read:

17           790.401 Risk protection orders.—

18           (1) DEFINITIONS.—As used in this section, the term:

19           (a) "Petitioner" means a law enforcement officer; ~~or~~ a law  
 20           enforcement agency; an individual who has a biological or legal  
 21           parent-child relationship with a respondent, including a  
 22           stepparent-stepchild relationship and a grandparent-grandchild  
 23           relationship; an individual who is the legal guardian of a  
 24           respondent; the spouse of a respondent; or a sibling of a  
 25           respondent who ~~that~~ petitions a court for a risk protection

26 | order under this section.

27 |       (2) PETITION FOR A RISK PROTECTION ORDER.—There is created  
28 | an action known as a petition for a risk protection order.

29 |       (a) A petition for a risk protection order may be filed by  
30 | a petitioner ~~law enforcement officer or law enforcement agency~~.

31 |       (b) An action under this section must be filed in the  
32 | county where:

33 |       1. The petitioner's law enforcement office is located, if  
34 | the petitioner is a law enforcement officer or a law enforcement  
35 | agency;

36 |       2. The petitioner resides, if the petitioner is not a law  
37 | enforcement officer or a law enforcement agency; or

38 |       3. ~~the county where~~ The respondent resides.

39 |       (c) ~~A~~ Such petition for a risk protection order does not  
40 | require the petitioner or the respondent ~~either party~~ to be  
41 | represented by an attorney.

42 |       (g) The ~~petitioner must list the~~ address of record on the  
43 | petition must be the address as being where the appropriate law  
44 | enforcement agency is located, if the petitioner is a law  
45 | enforcement officer or a law enforcement agency, or the address  
46 | where the petitioner resides, if the petitioner is not a law  
47 | enforcement officer or a law enforcement agency.

48 |       Section 2. This act shall take effect July 1, 2023.