

By the Committee on Fiscal Policy; the Appropriations Committee on Criminal and Civil Justice; the Committee on Judiciary; and Senators Book, Polsky, and Yarborough

594-03632-24

202486c3

1 A bill to be entitled  
2 An act relating to Hope Cards for persons issued  
3 orders of protection; creating s. 741.311, F.S.;  
4 requiring the clerks of the circuit court, in  
5 consultation with the Office of the Attorney General,  
6 to develop and implement the Hope Card Program;  
7 authorizing certain persons to request a Hope Card  
8 after a specified date; specifying when and how a  
9 person may request a Hope Card; requiring clerks'  
10 offices to create a Hope Card and provide such card to  
11 petitioners within a specified time frame; prohibiting  
12 the assessment of a fee; providing requirements for  
13 the Hope Card; providing criminal penalties for the  
14 fraudulent use of a Hope Card; amending ss. 741.30,  
15 784.046, 784.0485, and 825.1035, F.S.; conforming  
16 provisions to changes made by the act; providing an  
17 effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

20  
21 Section 1. Section 741.311, Florida Statutes, is created to  
22 read:

23 741.311 Hope Card Program for persons issued orders of  
24 protection.-

25 (1) The clerks of the circuit court, in consultation with  
26 the Office of the Attorney General, shall develop and implement  
27 the Hope Card Program, which provides for the issuance of a Hope  
28 Card to any person who has been issued an order of protection by  
29 a county or circuit court in this state.

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30       (2) Beginning October 1, 2024, a person who has been issued  
31 a final judgment on injunction for protection under s. 741.30,  
32 s. 784.046, s. 784.0485, or s. 825.1035 may request a Hope Card  
33 from the clerk of the court of the circuit in which the order  
34 for an injunction for protection was entered. A person may  
35 request a Hope Card at the time the final judgment on injunction  
36 for protection is issued or at any other time before the  
37 expiration of the order for protection.

38       (3) After the court has issued a final judgment on  
39 injunction for protection and within 3 business days after  
40 receipt of a request for a Hope Card, the clerk of the court  
41 shall create the Hope Card and provide it to the petitioner.

42       (4) The clerk of the court may not assess a fee for the  
43 issuance of a Hope Card.

44       (5) A Hope Card is valid for 2 years after the date of  
45 issuance of the final order or the expiration date of the  
46 injunction, whichever is earlier. A Hope Card may be renewed  
47 after the 2-year period if the injunction is still in effect.

48       (6) A Hope Card issued under the program may be digital or  
49 a durable, wallet-sized card and must contain all of the  
50 following information:

51           (a) The respondent's name and date of birth.

52           (b) The name and date of birth of the petitioner or  
53 protected person.

54           (c) Information regarding the issuing court; the case  
55 number; the date the order of protection was issued; and the  
56 expiration date, if any, of the order of protection.

57           (d) The telephone number for the statewide domestic  
58 violence hotline.

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59 (e) The date of issuance and the expiration date of the  
60 Hope Card.

61 (7) A person who, having actual knowledge that he or she is  
62 not protected by an injunction that is currently in force and  
63 effect, knowingly and willfully presents to another person a  
64 Hope Card or other document purporting to be a Hope Card for the  
65 purpose of evidencing the existence of an injunction, commits a  
66 misdemeanor of the second degree, punishable as provided in s.  
67 775.082 or s. 775.083.

68 Section 2. Paragraph (d) is added to subsection (8) of  
69 section 741.30, Florida Statutes, to read:

70 741.30 Domestic violence; injunction; powers and duties of  
71 court and clerk; petition; notice and hearing; temporary  
72 injunction; issuance of injunction; statewide verification  
73 system; enforcement; public records exemption.-

74 (8)

75 (d) The petitioner may request a Hope Card under s. 741.311  
76 after the court has issued a final order of protection.

77 Section 3. Paragraph (d) is added to subsection (8) of  
78 section 784.046, Florida Statutes, to read:

79 784.046 Action by victim of repeat violence, sexual  
80 violence, or dating violence for protective injunction; dating  
81 violence investigations, notice to victims, and reporting;  
82 pretrial release violations; public records exemption.-

83 (8)

84 (d) The petitioner may request a Hope Card under s. 741.311  
85 after the court has issued a final order of protection.

86 Section 4. Paragraph (c) is added to subsection (8) of  
87 section 784.0485, Florida Statutes, to read:

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88           784.0485 Stalking; injunction; powers and duties of court  
89 and clerk; petition; notice and hearing; temporary injunction;  
90 issuance of injunction; statewide verification system;  
91 enforcement.—

92           (8)

93           (c) The petitioner may request a Hope Card under s. 741.311  
94 after the court has issued a final order of protection.

95           Section 5. Paragraph (c) is added to subsection (10) of  
96 section 825.1035, Florida Statutes, to read:

97           825.1035 Injunction for protection against exploitation of  
98 a vulnerable adult.—

99           (10) TRANSMITTAL TO SHERIFF; SERVICE; HOPE CARD.—

100           (c) The petitioner may request a Hope Card under s. 741.311  
101 after the court has issued a final order of protection.

102           Section 6. This act shall take effect October 1, 2024.