

26 | 61.13, Florida Statutes, is amended to read:

27 | 61.13 Support of children; parenting and time-sharing;
28 | powers of court.—

29 | (2)

30 | (b) A parenting plan approved by the court must, at a
31 | minimum, do all of the following:

32 | 1. Describe in adequate detail how the parents will share
33 | and be responsible for the daily tasks associated with the
34 | upbringing of the child.~~;~~

35 | 2. Include the time-sharing schedule arrangements that
36 | specify the time that the ~~minor~~ child will spend with each
37 | parent.~~;~~

38 | 3. Designate who will be responsible for:

39 | a. Any and all forms of health care. If the court orders
40 | shared parental responsibility over health care decisions,
41 | either parent may consent to mental health treatment for the
42 | child unless stated otherwise in the parenting plan.

43 | b. School-related matters, including the address to be
44 | used for school-boundary determination and registration.

45 | c. Other activities.~~;~~~~and~~

46 | 4. Describe in adequate detail the methods and
47 | technologies that the parents will use to communicate with the
48 | child.

49 | 5. Unless otherwise agreed to by both parents in writing,
50 | designate authorized locations for the exchange of the child.

51 The court may require the parents to exchange the child at a
52 neutral safe exchange location as provided in s. 125.01(8) or a
53 supervised visitation program as defined in s. 753.01 if, upon
54 the presentation of competent substantial evidence that there is
55 a risk or an imminent threat of harm to one party or the child
56 during the exchange of the child, the court finds that such
57 requirement is necessary to ensure the safety of a parent or the
58 child and that it is in the best interests of the child after
59 consideration of all of the factors listed in subsection (3).

60 Section 3. Section 61.455, Florida Statutes, is created to
61 read:

62 61.455 Court-ordered parenting plan; neutral safe exchange
63 location or supervised visitation program.—In any proceeding in
64 which the court enters a parenting plan and time-sharing
65 schedule, including in a modification proceeding, upon the
66 presentation of competent substantial evidence that there is a
67 risk or an imminent threat of harm to one party or a child
68 during the exchange of the child and that it is in the best
69 interests of the child after consideration of all of the factors
70 in s. 61.13(3), the court may require the parties to exchange
71 custody of the child at a neutral safe exchange location as
72 provided in s. 125.01(8) or a supervised visitation program as
73 defined in s. 753.01. Competent substantial evidence includes,
74 but is not limited to, a court-ordered injunction for protection
75 under s. 741.30, s. 784.046, or s. 784.0485.

76 Section 4. Subsection (8) is added to section 125.01,
77 Florida Statutes, to read:

78 125.01 Powers and duties.—

79 (8)(a) Each sheriff shall designate at least one parking
80 lot at the sheriff's office, or substation thereof, as a neutral
81 safe exchange location at which parents who exercise time-
82 sharing pursuant to a parenting plan or time-sharing schedule
83 may meet to exchange the minor child.

84 (b) Each parking lot designated as a neutral safe exchange
85 location must have a purple light or a sign on the parking lot
86 premises to clearly identify the designated area as a neutral
87 safe exchange location. The neutral safe exchange location must:

88 1. Be accessible 24 hours a day, 7 days a week.

89 2. Provide adequate lighting and an external video
90 surveillance system that records continuously, 24 hours a day, 7
91 days a week.

92 3. Provide at least one camera that is fixed on the
93 parking lot, is able to record the area in the vicinity of the
94 purple light or sign during both day and night, records images
95 that clearly and accurately display the time and date, and
96 retains video surveillance recordings or images for at least 45
97 days.

98 (c) A cause of action does not arise against a county, a
99 sheriff, a law enforcement officer, or an employee of the
100 designated safe exchange location based on an incident arising

101 out of a meeting to exchange a minor child at a safe exchange
 102 location pursuant to this subsection.

103 Section 5. Paragraph (b) of subsection (3), paragraph (a)
 104 of subsection (5), and paragraphs (a) and (c) of subsection (6)
 105 of section 741.30, Florida Statutes, are amended to read:

106 741.30 Domestic violence; injunction; powers and duties of
 107 court and clerk; petition; notice and hearing; temporary
 108 injunction; issuance of injunction; statewide verification
 109 system; enforcement; public records exemption.—

110 (3)

111 (b) The sworn petition shall be in substantially the
 112 following form:

113 PETITION FOR
 114 INJUNCTION FOR PROTECTION
 115 AGAINST DOMESTIC VIOLENCE

116 Before me, the undersigned authority, personally appeared
 117 Petitioner ...(Name)..., who has been sworn and says that the
 118 following statements are true:

119 (a) Petitioner resides at: ...(address)...

120 (Petitioner may furnish address to the court in a separate
 121 confidential filing if, for safety reasons, the petitioner
 122 requires the location of the current residence to be
 123 confidential.)

124 (b) Respondent resides at: ...(last known address)...

125 (c) Respondent's last known place of employment: ...(name

126 | of business and address)...

127 | (d) Physical description of respondent:.....

128 | Race.....

129 | Sex.....

130 | Date of birth.....

131 | Height.....

132 | Weight.....

133 | Eye color.....

134 | Hair color.....

135 | Distinguishing marks or scars.....

136 | (e) Aliases of respondent:

137 | (f) Respondent is the spouse or former spouse of the

138 | petitioner or is any other person related by blood or marriage

139 | to the petitioner or is any other person who is or was residing

140 | within a single dwelling unit with the petitioner, as if a

141 | family, or is a person with whom the petitioner has a child in

142 | common, regardless of whether the petitioner and respondent are

143 | or were married or residing together, as if a family.

144 | (g) The following describes any other cause of action

145 | currently pending between the petitioner and respondent:

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147 | The petitioner should also describe any previous or pending

148 | attempts by the petitioner to obtain an injunction for

149 | protection against domestic violence in this or any other

150 | circuit, and the results of that attempt:.....

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Case numbers should be included if available.

(h) Petitioner is either a victim of domestic violence or has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence because respondent has: ...(mark all sections that apply and describe in the spaces below the incidents of violence or threats of violence, specifying when and where they occurred, including, but not limited to, locations such as a home, school, place of employment, or visitation exchange)...

.....
.....

....committed or threatened to commit domestic violence defined in s. 741.28, Florida Statutes, as any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another. With the exception of persons who are parents of a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

....previously threatened, harassed, stalked, or physically abused the petitioner.

....attempted to harm the petitioner or family members or

176 individuals closely associated with the petitioner.
 177 threatened to conceal, kidnap, or harm the petitioner's
 178 child or children.
 179 intentionally injured or killed a family pet.
 180 used, or has threatened to use, against the petitioner
 181 any weapons such as guns or knives.
 182 physically restrained the petitioner from leaving the
 183 home or calling law enforcement.
 184 a criminal history involving violence or the threat of
 185 violence (if known).
 186 another order of protection issued against him or her
 187 previously or from another jurisdiction (if known).
 188 destroyed personal property, including, but not limited
 189 to, telephones or other communication equipment, clothing, or
 190 other items belonging to the petitioner.
 191 engaged in a pattern of abusive, threatening,
 192 intimidating, or controlling behavior composed of a series of
 193 acts over a period of time, however short.
 194 engaged in any other behavior or conduct that leads the
 195 petitioner to have reasonable cause to believe he or she is in
 196 imminent danger of becoming a victim of domestic violence.
 197 (i) Petitioner alleges the following additional specific
 198 facts: ...(mark appropriate sections)...
 199 A minor child or minor children reside with the
 200 petitioner whose names and ages are as follows:.....

201

202 Petitioner needs the exclusive use and possession of

203 the dwelling that the parties share.

204 Petitioner is unable to obtain safe alternative housing

205 because:

206

207 Petitioner genuinely fears that respondent imminently

208 will abuse, remove, or hide the minor child or children from

209 petitioner because:.....

210

211 (j) Petitioner genuinely fears imminent domestic violence

212 by respondent.

213 (k) Petitioner seeks an injunction: ...(mark appropriate

214 section or sections)...

215 Immediately restraining the respondent from committing

216 any acts of domestic violence.

217 Restraining the respondent from committing any acts of

218 domestic violence.

219 Awarding to the petitioner the temporary exclusive use

220 and possession of the dwelling that the parties share or

221 excluding the respondent from the residence of the petitioner.

222 Providing a temporary parenting plan, including a

223 temporary time-sharing schedule, with regard to the minor child

224 or children of the parties which might involve prohibiting or

225 limiting time-sharing or requiring that it be supervised by a

226 | third party.

227 | If temporary time-sharing of the child is awarded to
 228 | the respondent, designating that the exchange of the minor child
 229 | or children of the parties must occur at a neutral safe exchange
 230 | location as provided in s. 125.01(8) or a supervised visitation
 231 | program as defined in s. 753.01.

232 | Establishing temporary support for the minor child or
 233 | children or the petitioner.

234 | Directing the respondent to participate in a batterers'
 235 | intervention program.

236 | Providing any terms the court deems necessary for the
 237 | protection of a victim of domestic violence, or any minor
 238 | children of the victim, including any injunctions or directives
 239 | to law enforcement agencies.

240 | (5)(a) If it appears to the court that an immediate and
 241 | present danger of domestic violence exists, the court may grant
 242 | a temporary injunction ex parte, pending a full hearing, and may
 243 | grant such relief as the court deems proper, including an
 244 | injunction:

245 | 1. Restraining the respondent from committing any acts of
 246 | domestic violence.

247 | 2. Awarding to the petitioner the temporary exclusive use
 248 | and possession of the dwelling that the parties share or
 249 | excluding the respondent from the residence of the petitioner.

250 | 3. On the same basis as provided in s. 61.13, providing

251 the petitioner a temporary parenting plan, including a time-
 252 sharing schedule, which may award the petitioner up to 100
 253 percent of the time-sharing. If temporary time-sharing is
 254 awarded to the respondent, the exchange of the child must occur
 255 at a neutral safe exchange location as provided in s. 125.01(8)
 256 or a supervised visitation program as defined in s. 753.01 if
 257 the court determines it is in the best interests of the child
 258 after consideration of all of the factors in s. 61.13(3). The
 259 temporary parenting plan remains in effect until the order
 260 expires or an order is entered by a court of competent
 261 jurisdiction in a pending or subsequent civil action or
 262 proceeding affecting the placement of, access to, parental time
 263 with, adoption of, or parental rights and responsibilities for
 264 the minor child.

265 4. If the petitioner and respondent have an existing
 266 parenting plan or time-sharing schedule under another court
 267 order, designating that the exchange of the minor child or
 268 children of the parties must occur at a neutral safe exchange
 269 location as provided in s. 125.01(8) or a supervised visitation
 270 program as defined in s. 753.01 if the court determines it is in
 271 the best interests of the child after consideration of all of
 272 the factors in s. 61.13(3).

273 ~~5.4.~~ Awarding to the petitioner the temporary exclusive
 274 care, possession, or control of an animal that is owned,
 275 possessed, harbored, kept, or held by the petitioner, the

276 respondent, or a minor child residing in the residence or
277 household of the petitioner or respondent. The court may order
278 the respondent to temporarily have no contact with the animal
279 and prohibit the respondent from taking, transferring,
280 encumbering, concealing, harming, or otherwise disposing of the
281 animal. This subparagraph does not apply to an animal owned
282 primarily for a bona fide agricultural purpose, as defined under
283 s. 193.461, or to a service animal, as defined under s. 413.08,
284 if the respondent is the service animal's handler.

285 (6)(a) Upon notice and hearing, when it appears to the
286 court that the petitioner is either the victim of domestic
287 violence as defined by s. 741.28 or has reasonable cause to
288 believe he or she is in imminent danger of becoming a victim of
289 domestic violence, the court may grant such relief as the court
290 deems proper, including an injunction:

291 1. Restraining the respondent from committing any acts of
292 domestic violence.

293 2. Awarding to the petitioner the exclusive use and
294 possession of the dwelling that the parties share or excluding
295 the respondent from the residence of the petitioner.

296 3. On the same basis as provided in chapter 61, providing
297 the petitioner with 100 percent of the time-sharing in a
298 temporary parenting plan that remains in effect until the order
299 expires or an order is entered by a court of competent
300 jurisdiction in a pending or subsequent civil action or

301 proceeding affecting the placement of, access to, parental time
302 with, adoption of, or parental rights and responsibilities for
303 the minor child.

304 4. If the petitioner and respondent have an existing
305 parenting plan or time-sharing schedule under another court
306 order, designating that the exchange of the minor child or
307 children of the parties must occur at a neutral safe exchange
308 location as provided in s. 125.01(8) or a supervised visitation
309 program as defined in s. 753.01 if the court determines it is in
310 the best interests of the child after consideration of all of
311 the factors in s. 61.13(3).

312 ~~5.4.~~ On the same basis as provided in chapter 61,
313 establishing temporary support for a minor child or children or
314 the petitioner. An order of temporary support remains in effect
315 until the order expires or an order is entered by a court of
316 competent jurisdiction in a pending or subsequent civil action
317 or proceeding affecting child support.

318 ~~6.5.~~ Ordering the respondent to participate in treatment,
319 intervention, or counseling services to be paid for by the
320 respondent. When the court orders the respondent to participate
321 in a batterers' intervention program, the court, or any entity
322 designated by the court, must provide the respondent with a list
323 of batterers' intervention programs from which the respondent
324 must choose a program in which to participate.

325 ~~7.6.~~ Referring a petitioner to a certified domestic

326 violence center. The court must provide the petitioner with a
327 list of certified domestic violence centers in the circuit which
328 the petitioner may contact.

329 8.7. Awarding to the petitioner the exclusive care,
330 possession, or control of an animal that is owned, possessed,
331 harbored, kept, or held by the petitioner, the respondent, or a
332 minor child residing in the residence or household of the
333 petitioner or respondent. The court may order the respondent to
334 have no contact with the animal and prohibit the respondent from
335 taking, transferring, encumbering, concealing, harming, or
336 otherwise disposing of the animal. This subparagraph does not
337 apply to an animal owned primarily for a bona fide agricultural
338 purpose, as defined under s. 193.461, or to a service animal, as
339 defined under s. 413.08, if the respondent is the service
340 animal's handler.

341 9.8. Ordering such other relief as the court deems
342 necessary for the protection of a victim of domestic violence,
343 including injunctions or directives to law enforcement agencies,
344 as provided in this section.

345 (c) The terms of an injunction restraining the respondent
346 under subparagraph (a)1. or ordering other relief for the
347 protection of the victim under subparagraph (a)9.~~(a)8.~~ shall
348 remain in effect until modified or dissolved. Either party may
349 move at any time to modify or dissolve the injunction. No
350 specific allegations are required. Such relief may be granted in

CS/HB 385

2024

351 | addition to other civil or criminal remedies.

352 | Section 6. This act shall take effect July 1, 2024.