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## Session Law 87-395

Florida Senate & House of Representatives

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## LEGISLATIVE SUPPLEMENT "B" - SESSION LAW ABSTRACT

Sess	.Law #	87-395	Sec. #	1	LOF cite <u>I</u> pt. 2, 2386-2388
Prime	e Bill #	(5/58 999 C	comp./Sim	. Bills	(5/HB 545 / 1986 52103 HB 456
JLMC	Senate	161	Comms.	Senate	JudiciARY- Civic
Cites	House	283	Ref.	House	(RIMINAL JUSTICE

			COMMITTEE RECORDS		
H/S	Committee	Year	Record Series: Folder title, etc.	Loc. Cite	√
5	Jul-(IV	87	BILL FILE SEGUI	13/1628	
			Merting FILE 5/12/87	18/1626	
H	(RIM, Jusince	37	BILL FILE HE 545	19/1729	
 			Meeting FILE SLO- Int Human Provers 4/14	19/1723	
			Full (MT. 4/2)	, \\	
			(OVIR)		
			Continued on reverse	6 	

		Senate/Hou	ise Journals		
Page #	?	Date	Page #	?	Date
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		Committee/Floor	Tapes		
H/S C	/f	Committee/subcommittee name	Date	#	Location Cite
50	-	Juli-110. (100-201)	F/12/87	4	

Record	Series Title, folder title, etc.	Location Cite

			COMMITTEE RECORDS (continued)		
H/S	Committee	Year	Record Series: Folder title, etc.	Loc. Cite	√
5	HR5	86	EILL FILE SB 103	18/1560	
			ME 4/24/86	18/1560	
5	Jud- (1V	86	BILL FILE (S/SB 103	12/1556	
			BILL FILE (5/58 103 MF 5/13/86	18/1556	
14	(RIM, ISTICE	86	BILL FILE HB 456	19/1534	
			ME Suburi (RIMES + Prankt is 4/9/86	19/1533	
			14F Full CMT 4/14/86	19/1533	
		( 			

NOTES

## Documentation List Laws of Florida 1987 Chapter 87-395 "An Act Relating to Domestic Violence"

01. Laws of Florida, 1987, Chapter 87-395, in Vol. I, part 2, pp. 2386-2388.

## 1986 Session Documentation

- 02. Joint Legislative Management Committee. Division of Legislative Information. <u>History of Legislation</u>, 1986 Regular Session: SB 103 (p. 43) and HB 456 (pp. 264-265).
- 03. Senate Bill (SB) 103, (1986).
- 04. Senate. Committee on Health and Rehabilitative Services. Staff Analysis of Proposed Committee Substitute (PCS) SB 103, April 22, 1986.
- 05. Committee Substitute (CS) for SB 103, (1986).
- 06. Senate. Committee on Health and Rehabilitative Services. Vote Sheet for SB 103, April 24, 1986.
- 07. \_\_\_\_\_. Staff Analysis of CS/SB 103, April 25, 1986.
- 08. Committee Substitute for Committee Substitute (CS/CS) SB 103, 1986.
- 09. Senate. Committee on Judiciary-Civil. Staff Analysis of CS/CS/SB 103, Mary 15, 1986.
- 10. <u>Journal of the Florida House of Representatives</u>, June 4, 1986, pp. 791-793, re: amendments to CS/CS/SB 103.
- 11. House Bill (HB) 456, (1986).
- 12. House. Committee on Criminal Justice. Vote Sheet (with amendments attached) for HB 456, April 14, 1986.
- 13. CS/HB 456 (1986).
- 14. House. Committee on Criminal Justice, Sub-Committee on Crimes and Penalties. Vote Sheet for HB 456, April 9, 1986.

Documentation List Laws of Florida, 1987, Chapter 87-395 Page Two

15. House. Committee on Criminal Justice. Staff Analysis of CS/HB 456, April 4, 1986, revised April 23, 1986.

## 1987 Session Documentation

- 16. Joint Legislative Management Committee. Division of Legislative Information. <u>History of Legislation</u>, 1987 Regular Session: SB 994 (p. 161) and HB 545 (p. 283).
- 17. SB 994 (1987).
- 18. Senate. Committee on Judiciary-Civil. Staff Analysis of SB 994, Mary 1, 1987.
- 19. \_\_\_\_\_. Vote Sheet (with amendments attached) for SB 994, May 12, 1987.
- 20. CS/SB 994 (1987).
- 21. Senate. Committee on Judiciary-Civil. Staff Analysis of CS/SB 994, Mary 14, 1987.
- 22. <u>Journal of the Senate</u>, State of Florida, June 3, 1987, p. 652 (re: amendment to CS/SB 994).
- 23. HB 545 (1987).
- 24. House. Committee on Criminal Justice. Staff Analysis of HB 545, April 13, 1987.
- 25. \_\_\_\_\_. Sub-Committee on Human Resources. Vote Sheet (with amendments attached) HB 545, April 14, 1987.
- 26. Proposed CS/HB 545 (1987).
- 27, House. Committee on Criminal Justice. Staff Analysis of Proposed CS/HB 545, April 20, 1987.
- 28. House. Committee on Criminal Justice. Vote Sheet for CS/HB 545, April 27, 1987.
- 29. CS/HB 545 (1987).

## GENERAL ACTS RESOLUTIONS AND MEMORIALS

## ADOPTED BY THE

## TENTH LEGISLATURE OF FLORIDA UNDER THE CONSTITUTION

## AS REVISED IN 1968

During the Regular Session April 7, 1987 through June 6, 1987 and the Special Session February 4, 1987



Volume I, Part Two

Published by Authority of Law

Under Direction of the

JOINT LEGISLATIVE MANAGEMENT COMMITTEE

TALLAHASSEE

1987

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Professional Regulation, one member appointed by the Chancellor of the State University System, and one member appointed by the Executive Director of the Department of General Services. The Asbestos Oversight Program Team shall be responsible for asbestos policy development, regulatory review, asbestos training course approval, and coordination with regional asbestos project managers and building contact persons on policy and procedures.

Section 22. Sections 14 through 20 of this act are repealed on October 1, 1996, and shall be reviewed pursuant to the Regulatory Sunset Act, section 11.61, Florida Statutes.

Section 23. Section 21 of this act is repealed on October 1, 1996, and shall be reviewed pursuant to the Sundown Act, section 11.611, Florida Statutes.

Section 24. There is hereby appropriated from the General Revenue Fund to the Department of Labor and Employment Security 11 positions and \$515,979 in a lump sum to manage the program set forth in this act. An additional \$500,000 is appropriated from the General Revenue Fund to the Department of Labor and Employment Security for allocation to state agencies for asbestos building survey or operation and maintenance plan contracts. The Executive Office of the Governor is authorized to transfer the amounts required for asbestos building survey contracts to the contracting agency.

Section 25. There is hereby appropriated from the General Revenue Fund to the Department of Labor and Employment Security the amount of \$500,000 initially to institute abatement procedures for priority projects as determined by the secretary pursuant to section 3 of this act.

Section 26. This act shall take effect October 1, 1987.

Approved by the Governor July 14, 1987.

Filed in Office Secretary of State July 14, 1987.

#### CHAPTER 87-395

Committee Substitute for Senate Bill No. 994

An act relating to domestic violence; amending s. 741.30, F.S.; providing a cause of action for injunctive relief to any family member who is being victimized; redefining "domestic violence" by changing the definition of who constitutes a victim of such violence; conforming provisions relating to actions for protection against domestic violence; providing an effective date.

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

Section 1. Paragraph (a) of subsection (1), paragraph (a) of subsection (2), and paragraph (b) of subsection (4) of section 741.30, Florida Statutes, 1986 Supplement, are amended, paragraphs (e) and (f) of subsection (2) of said section are redesignated as paragraphs (f) and (g), respectively, and a new paragraph (e) is added to said subsection, to read: 741.30 Action by--apouse for injunction for protection against domestic violence; powers and duties of court and clerk of court, filing and form of petition for injunction; notice and hearing temporary injunction; issuance of injunction; enforcement.--

(1) As used in this section, the term:

(a) "Domestic violence" means any assault, battery, or sexual battery by a person against the person's spouse or against any other person related by blood or marriade to the petitioner or respondent, who is or was residing in the same single dwelling unit.

(2) There is created a cause of action for an injunction for protection against domestic violence.

(a) Any <u>spouse, or any person described in paragraph (e)</u>, who is the victim of any act of domestic violence, or has reasonable cause to believe he or she is about to become the victim of any act of domestic violence, has standing in the circuit court to file a seorn petition for an injunction for protection against domestic violence.

(e) This cause of action for an injunction may be sought between persons related by blood or marriage who are or were residing within a single dwelling unit. No person shall be precluded from seeking injunctive relief pursuant to this chapter solely on the basis that such person is not a spouse.

(4)

(b) The sworn petition shall be in substantially the folloing form:

PETITION FOR INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE

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

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

(b) Respondent resides at: ...(address)...

(c) Respondent is the spouse or former spouse of the petitioner or is any other person related by blood or marriage to the petitioner who is or was residing within a single dwelling unit with the petitioner.

(d) The following describes any other cause of action currently pending between the petitioner and respondent; .....

(e) Petitioner has suffered or has reasonable cause to fear domestic violence because respondent has:

(f) Petitioner alleges the following additional specific facts: (mark appropriate sections)

.... Petitioner is the custodian of a minor child or children whose names and ages are as follows: .....

.... Petitioner needs the exclusive use and possession of the dwelling that the parties share.

.... Petitionei is unable to obtain safe alternative housing because: .....

.... Petitioner genuinely fears that respondent will abuse, remove, or hide the minor child or children from petitioner because: ..... 

(g) Petitioner genuinely fears domestic violence by respondent.

(h) Petitioner seeks an injunction: (mark appropriate section or sections)

.... Immediately restraining the respondent from committing any acts of domestic violence.

....Restraining the respondent from committing any acts of domestic violence.

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

.... Awarding temporary custody of, or temporary visitation rights with regard to, the minor child or children of the parties.

....Establishing temporary support for the minor child or children of the petitioner.

....Directing the respondent to participate in treatment or counseling services.

....Providing any terms the court deems necessary for protection of a victim of domestic violence, including for the any injunctions or directives to law enforcement agencies,

Section 2. This act shall take effect October 1, 1987.

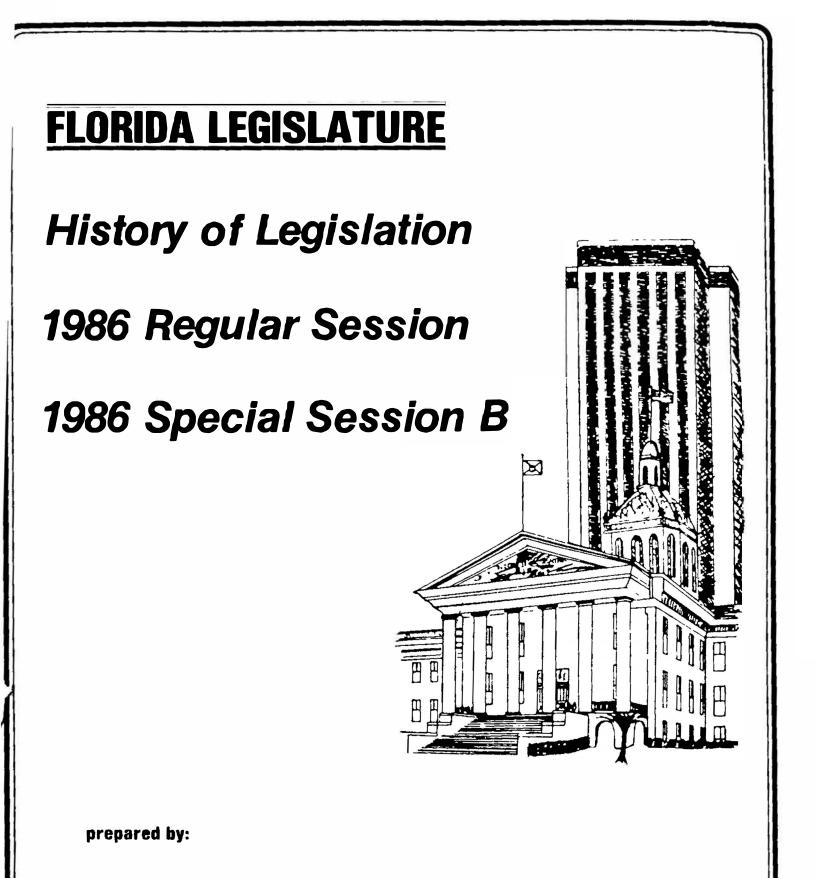
Approved by the Governor July 14, 1987.

Filed in Office Secretary of State July 14, 1987.

#### CHAPTER 87-396

Committee Substitute for Senate Bill No. 1013

An act relating to long-term care; amending s. 400.304, F.S.; revising language with respect to the composition of the State Nursing Home and Long-Term Care Facility Ombudsman Council; amending s. 400.307, F.S.; revising language with respect to district nursing home and longterm care ombudsman councils; providing an effective date.



Joint Legislative Management Committee Legislative Information Division Capitol Building, Room 826 – 488-4371

#### HISTORY OF SENATE BILLS

Low-Income Housing Support Program, creates training & technical support program within Community Affairs Dept for low-income housing development & rehabilitation by community-based organizations, etc. Effective Date 07/01/86, or upon becoming law, whichever occurs later 12/04/85 SENATE Prefiled 12/16/85 SENATE Referred to Economic, Community and Consumer Affairs, Appropriations 04/08/86 SENATE Introduced, referred to Economic, Community and Consumer Affairs, Appropriations -SJ 14 04/21/86 SENATE. Extension of time granted Committee Economic, Commumity and Consumer Affairs 04/23/86 SENATE Extension of time granted Committee Economic, Community and Consumer Affairs 05/01/86 SENATE Withdrawn from Economic, Community and Consumer Affairs, Appropriationa, Indefinitely postponed, Iden /Sim / Compare Bill passed, refer to CS/SB 1030 (Ch 86-192) -SJ 193 S 101 GENERAL BILL/CS/ENG by Judiciary-Criminal; Meek; Kiser and others (Similar CS/H 93, CS/CS/H 429, Compare S 288, CS/ENG/S 705) Ether/Regulation Criteria, (THIS BILL COMBINED IN CS/S 101,288) providee for certain powers of H R S Dept, requires license or permit to manufacture, distribute, deal in or purchase ether, prohibits possession without license or permit, requires reports re theft, illegal use or possession, prohibits possession in or near residential housing, makes it a violation to sell, deliver or give certain chemicals to a minor, etc. Amends Ch 499 Appropriation Effective Date. 10/01/86 12/04/85 SENATE Prefiled s 12/16/85 SENATE Referred to Judiciary-Criminal, Commerce, Appropriations 04/08/86 SENATE Introduced, referred to Judiciary-Criminal, Commerce, Appropriations -SJ 14 04/15/86 SENATE On Committee agenda-Judiciary-Criminal, 04/17/86, 9 30 am, Room-C 04/17/86 SENATE CS combines this bill and 288; Combined CS additional reference(s) Finance, Taxation and Claims, Comm Report-CS by Judiciary-Criminal -SJ 121 04/21/86 SENATE CS read first time - SJ 130; Now in Commerce -SJ 121 05/01/86 SENATE On Committee agenda-Commerce, 05/05/86, 200 pm, Room-A 05/05/86 SENATE Comm Report. Favorable with 2 amendment(s) by Commerce -SJ 216 05/06/86 SENATE Now in Finance, Taxation and Claima -SJ 216 Withdrawn from Finance, Taxation and Claims -SJ 373; 05/21/86 SENATE Now in Appropriations 06/02/86 SENATE On Committee agenda-Appropriations, Upon adjournment, 06/02/86, Room-A -SJ 560, Comm Report. Favorable by Appropriations, placed on Calendar -SJ 564 06/06/86 SENATE Placed on Special Order Calendar -SJ 769, CS passed as amended, YEAS 36 NAYS 0 -SJ 796 06/06/86 HOUSE In Messages, Received, placed on Calendar, Substituted for CS/CS/HB's 429&CS/H93, Read second time; Read third time, CS passed, YEAS 102 NAYS 0 -HJ 1114 Ordered enrolled -SJ 1249 06/06/86 06/16/86 Signed by Officers and presented to Governor 06/24/86 Approved by Governor, Chapter No 86-133 S 102 GENERAL BILL by Meek and others (Similar H 166) Educational Alternatives/FAU, establishes Institute for Development of Educational Alternatives at Florida Atlantic University; prescribes purpose & duties of institute, provides for staff, training of employees of certain school districts, development of objectives, & monitoring of institute by Education Dept.; provides for an advisory committee Appropriation \$245,033 Effective Data: Upon becoming law 12/04/85 SENATE Prefiled 12/16/85 SENATE Referred to Education; Appropriations 04/08/86 SENATE Introduced, referred to Education, Appropriations -SJ 14 04/21/86 SENATE Extension of time granted Committee Education 05/05/86 SENATE Extension of time granted Committee Education 05/19/86 SENATE Extension of time granted Committee Education 05/26/86 SENATE Extension of time granted Committee Education 06/07/86 SENATE Died in Committee on Education S 103 GENERAL BILL/CS/CS by Judiciary-Civil, Health and Rehabilitative Services, Fox (Similar CS/H 456) Domestic Violence/Meaning Changed, redefines "domestic violence" by changing definition of what constitutes such violence, conforms provisions re actions for protection against domestic violence, specifies that certain particulars be in police report of alleged incident of domestic violence, etc. Amenda 415 601, 602, 741 29, 30 Effective Date 10/01/86 12/04/85 SENATE Prefiled 12/16/85 SENATE Referred to Health and Rehabilitative Services, Judicia ry-Civil 04/08/86 SENATE Introduced, reterred to Health and Rohabilitative Services, Judiciary-Civil SJ 14 (PAGE NUMBERS REFLECT DAILY SENATE AND HOUSE JOURNALS AND NOT FINAL BOUND JOURNALS)

S 100 GENERAL BILL by Meek and others (Identical H 193, Compare S

CS/H 1273, CS/ENG/S 1030)

1			-
	103 (CON	TINUED)	
			Extension of time granted Committee Health and Rehabil- stative Services, On Committee agenda—Health and Reha- bilitative Services, 04/24/86, 9-00 am, Room-A
	04/24/86	SENATE	Comm Report CS by Health and Rehabilitative Services -SJ 159
	04/28/86	SENATE	CS read first time -SJ 169, Now in Judiciary-Civil -SJ 159
			On Committee agenda—Judiciary-Civil, 05/13/86, 1 00 pm, Room-A
			Comm Report CS/CS by Judiciary-Civil, placed on Cal- endar -SJ 313
			CS read first time -SJ 314
			Placed on Special Order Calendar -SJ 532
	06/03/86	SENATE	Placed on Special Order Calendar -SJ 00560 -SJ 564, CS passed, YEAS 35 NAYS 0 -SJ 576
	06/03/86	HOUSE	In Messages
	06/04/86	HOUSE	Received, placed on Calendar, Read second time, Amend- ments adopted, Read third time, CS passed as amended, YEAS 99 NAYS 11 -HJ 793
	06/04/86	SENATE	In Messages
			Refused to concur, requested House to recede -SJ 664
		HOUSE	In Messages
	06/06/86	HOUSE	Refused to recede, requests Senate concur/appoint Confer- ence Comm -HJ 1041
	06/06/86	SENATE	In Messages, Refused to concur, requested House to recode -SJ 810
	06/06/86	HOUSE	In Messages
	06/07/86	HOUSE	Died in Messager
2	104 GE	NERAL R	ILL by Vogt
			Care Commitment, provides that social services agency or
	mardian	ad litem m	ay submit an intent to file petition for permanent commit-
			mance agreement within 30 days of placement, requires fil-
			rmanent commitment or submission of performance agree-
		hin specifie	d time frames Amenda 409 168 Effective Date Upon be-
		SENATE	Prefiled
			Referred to Health and Rehabilitative Services
			Introduced, referred to Health and Rehabilitative Services
	04/22/86	SENATE	Extension of time granted Committee Health and Rehabil- itative Services

- 05/05/86 SENATE Extension of time granted Committee Health and Rehabilitative Services
- 05/16/86 SENATE Extension of time granted Committee Health and Rehabilitative Services
- 05/27/86 SENATE Extension of time granted Committee Health and Rehabilitative Services
- 06/07/86 SENATE Died in Committee on Health and Rehabilitative Services
- S 105 GENERAL BILL/CS/CS by Appropriations; Transportation; Vogt (Similar H 60, CS/CS/ENG/H 175)

Motor Vehicle Safety Equipment: authorizes DOT to issue special permits for semitrailers for overwidth deliveries of manufactured buildings, authorizes H.S M V to prepare affidavit of compliance forms re certain traffic violations, provides \$25 fine for certain violations, provides points for operating certain motor vehicles in unsafe condition, provides procedure for disposition of fines, etc. Amends 316.515, 650, 318 18, 322 27, creates 316 6105 Effective Date 10/01/86 12/05/85 SENATE Prefiled 12/16/85 SENATE Referred to Transportation, Appropriations 12/19/85 SENATE On Committee agenda-Transportation, 01/08/86, 9 00 am, Room-C 01/08/86 SENATE Comm Report: CS by Transportation, Now in Appropriations 04/08/86 SENATE Introduced, referred to Transportation, Appropriations -SJ 15, Comm Report CS by Transportation -SJ 48, CS read first time -SJ 82, Now in Appropriations -SJ 48 05/06/86 SENATE Extension of time granted Committee Appropriations 05/21/86 SENATE Extension of time granted Committee Appropriations 05/23/86 SENATE On Committee agenda-Appropriations, 05/27/86, 2.00 pm, Room-A 05/27/86 SENATE Comm Report CS/CS by Appropriations, placed on Calendar -SJ 470 05/29/86 SENATE CS read first time -SJ 471 06/05/86 SENATE Placed on Special Order Calendar -SJ 657, Iden /Sim

- House Bill substituted, Laid on table under Rule, Iden / Sim /Compare Bill passed, refer to CS/CS/HB 175 (Ch 86-260) -SJ 707
- S 106 GENERAL BILL by Meek and others (Identical H 247, Compare ENG/S 272)

Intercollegiste Athletics Funding, creates Fla Intercollegiste Athletics Supple mental Funding Program, requires Board of Regents to administer program, au thorizes distribution of funds to certain state universities to be used in strengthening intercollegists athletics Creates 240 535 Appropriation \$1,000,000. Effective Date 07/01/86

12/05/85 SENATE Prefiled

## FLORIDA LEGISLATURE—REGULAR SESSION—1986 HISTORY OF HOUSE BILLS

#### H 450 GENERAL BILL/CS by Governmental Operations, Hargrett (Similar CS/S 380, Compare S 680) Dependence (Records Dependence) (05/06/86 HOUSE

Discriminatory Practices/Records, provides for confidentiality of complaints & records recertain discriminatory practices filed with certain state & local governmental agencies, provides for removal of confidentiality, provides for access to such records, provides for review & repeal Amends 119 07 Effective Date 05/21/86

03/21/00		
02/20/86	HOUSE	Prefiled
02/27/86	HOUSE	Referred to Governmental Operations
04/08/86	HOUSE	Introduced, referred to Governmental Operations -HJ 50
04/09/86	HOUSE	On Committee agenda-Governmental Operations,
		04/14/86, 3 30 pm, 413C
04/14/86	HOUSE	Preliminary Committee Action by Governmental Opera-
		tions Favorable, as a Committee Substitute, to Calendar
04/22/86	HOUSE	Comm Report. CS by Governmental Operations, placed on
		Calendar -HJ 180
05/05/86	HOUSE	Placed on Special Order Calendar
05/06/86	HOUSE	CS read first and second times -HJ 262
05/07/86	HOUSE	Read third time, CS passed, YEAS 116 NAYS 0 -HJ 276
05/08/86	HOUSE	Immediately certified -HJ 287
05/08/86	SENATE	In Messages, Received, referred to Governmental Opera-
		tions -SJ 220, Immediately withdrawn from Governmental
		Operations, Substituted for CS/SB 380, CS passed,
		YEAS 30 NAYS 5 -SJ 238
05/13/86		Ordered enrolled
05/14/66		Signed by Officers and presented to Governor -HJ 415

 05/14/86
 Signed by Officers and presented to Governor -HJ 415

 05/21/86
 Approved by Governor, Chapter No 86-21 -HJ 488

#### H 451 GENERAL BILL by Hargrett (Identical 8 1116)

<u>Jurors/Capital Felony Cases</u>, prohibits exclusion of certain persons from service on juries in capital felony cases, provides that such persons shall be excluded from participating in sentencing phase of trial, provides that provisions only apply to juries empaneled after certain date Amends 913-13 Effective Date Upon becoming law

02/20/86 HOUSE Prefiled 02/27/86 HOUSE Referred to Criminal Justice 04/08/86 HOUSE Introduced, referred to Criminal Justice -HJ 50 04/29/86 HOUSE On Committee agenda—Criminal Justice, 04/30

04/29/86 HOUSE On Committee agenda—Criminal Justice, 04/30/86, 8:00 am, 314 HOB 04/30/86 HOUSE Preliminary Committee Action by Criminal Justice Unfavorable, Comm Report Unfavorable by Criminal Justice, laid on table under Rule -HJ 221

H 452 GENERAL BILL by Allen (Identical S 253, Compare ENG/H 219) <u>Electiona/Candidate Withdrawal</u>, changes time by which candidate must notify <del>elections supervisor or Department</del> of State of his withdrawal from election in order not to have his name printed on ballot Amends 101.253, Effective Date: Upon becoming law 02/20/86 HOUSE Prefiled

02/27/86 HOUSE Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 50 04/08/86 HOUSE 04/11/86 HOUSE Subreferred to Subcommittee on Elections, On subcommittee agenda-Ethics & Elections, 04/15/86, 3 30 pm, 212 HOB 04/15/86 HOUSE Subcommittee Recommendation pending ratification by full Committee Favorable 04/18/86 HOUSE On Committee agenda-Ethics & Elections, 04/22/86, 3 30 m, 212 HOB 04/22/86 HOUSE Preliminary Committee Action by Ethica & Elections Favorable, to Calendar 04/24/86 HOUSE Comm Report. Favorable by Ethics & Elections, placed on ( Calendar -HJ 187 06/07/86 HOUSE Died on Calendar, Iden /Sim /Compare Bill passed, refer to HB 219 (Ch 86-199) H 453 GENERAL BILL by Silver (Identical S 612, Compare H 42, H 880)

Occupational License Tax, revises rate & distribution of additional occupational license tax to exclude use of tax for symphony orchestra Amenda 205.033 Effective Date 10/01/86 02/20/86 HOUSE Prefiled 02/27/86 HOUSE Referred to Community Affairs; Finance & Taxation, Appropriationa

04/08/86	HOUSE	Introduced, referred to Community Affairs, Finance & Taxation, Appropriations -HJ 50
04/18/86	HOUSE	On subcommittee agenda—Community Affairs, 04/22/86, 1 15 pm, 314 HOB
04/22/86	HOUSE	Subcommittee Recommendation pending ratification by full Committee Favorable, On Committee agenda, pending aubcommittee action—Community Affairs, 04/23/86, 3.30 pm, 314 HOB
04/23/86	HOUSE	Preliminary Committee Action by Community Affairs Fa- vorable
04/24/86	HOUSE	Comm Report Favorable by Community Affairs -HJ 187, Now in Finance & Taxation
05/02/86	HOUSE	On Committee agenda-Finance & Taxation 05/06/86.

05/02/86 HOUSE On Committee agenda—Finance & Taxation, 05/06/86 3 30 pm. Morris Hall

(PAGE NUMBERS REFLECT <u>DAILY</u> SENATE AND HOUSE JOURNALS AND NOT FINAL BOUND JOURNALS)

1403 (L'UI	VTINUEDI	
05/06/86	HOUSE	Preliminary Committee Action by Finance & Taxation Fa- vorable
05/07/86	HOUSE	Comm Report Favorable by Finance & Taxation -HJ 284, Now in Appropriations
05/08/ <b>86</b>	HOUSE	Withdrawn from Appropriations -HJ 299, Placed on Cal- endar
05/27/86	HOUSE	Placed on Special Order Calendar
05./29/86	HOUSE	Read second time -HJ 589
05/30/86	HOUSE	Read third time, Passed, YEAS 50 NAYS 46 -HJ 627
05/30/86	SENATE	In Messages
06/03/86	SENATE	Received, referred to Economic, Community and Consum-
		er Affairs, Finance, Taxation and Claims -SJ 565
06/06/86	SENATE	Withdrawn from Economic, Community and Consumer Af-
		fairs, Finance, Taxation and Claims, Substituted for SB
		612, Passed, YEAS 22 NAYS 7 -SJ 884
06/06/86		Ordered enrolled
06/27/86		Signed by Officers and presented to Governor
07/13/86		Became Law without Governor's Signature, Chapter No 86-298

H 454 GENERAL BILL by Press and others (Similar CS/ENG/S 58) Caedit Card/Surcharge, prohibits seller or lessor from imposing a surcharge for use of credit card in certain transactions, etc Effective Date 10/01/86

	and cand in	
02/20/86	HOUSE	Prefiled
02/27/86	HOUSE	Referred to Commerce, Appropriations
02/28/86	HOUSE	Subreferred to Subcommittee on Banking and Finance
04/08/86	HOUSE	Introduced, referred to Commerce, Appropriations -HJ 50,
		Subreferred to Subcommittee on Banking and Finance, On
		Committee agendaCommerce, 04/10/86, 10-00 am, 317C
		-for ratification of referral to subcommittee
04/18/86	HOUSE	On subcommittee agenda-Commerce, 04/22/86, 1 15 pm,
		317 HOB
04/22/86	HOUSE	Subcommittee Recommendation Failed
04/28/86	HOUSE	On Committee agenda-Commerce, 04/30/86, 3 30 pm,
		317C—For ratification of subcommittee report
06/07/86	HOUSE	Died in Committee on Commerce

H 455 GENERAL BILL by Figg (Compare CS/ENG/S 183) Dentistry/Laboratory Services, redefines term "general supervision", prohibits registered dental laboratories from performing certain dental services, authorizes such laboratories to assist dentists in certain procedures, creates provision re persons engaged in constructing or repairing prosthetic dentures, bridges, or other dental appliances, provides for review & repeal Amends 466.003, 021, creates 466 040 Effective Date 10/01/86

02/20/86 HOUSE Prefiled 02/27/86 HOUSE Referred to Regulatory Reform, Appropriations 04/08/86 HOUSE Introduced, referred to Regulatory Reform, Appropriations -HJ 50 04/18/86 HOUSE On subcommittee agenda-Regulatory Reform, 04/22/86, 1.15 pm, Morris Hell 04/22/86 HOUSE Subcommittee Recommendation Unfavorable, motion to reconsider pending, On Committee agenda, pending subcommittee action-Regulatory Reform, 04/22/86, 5 30 pm, Morris Hall 04/25/86 HOUSE On subcommittee agenda-Regulatory Reform, 04/29/86, 1 15 pm, Morris Hall 04/29/86 HOUSE Subcommittee Recommendation pending ratification by full Committee Favorable, with 1 amendment 06/07/86 HOUSE Died in Committee on Regulatory Reform

H 456 GENERAL BILL/CS by Criminal Justice; Gordon (Similar CS/CS/S 103)

 Domestic Violence/Meaning Changed, redefines "domestic violence" by changing definition of what constitutes such violence & who constitutes a victim of such violence, defines term "cohabitating", conforms provisions re actions for protection against domestic violence, specifies that certain particulars be in police report of alleged incident of domestic violence, etc. Amends 415 601, 602, 741 29, 30 Effective Date 10/01/36.

 02/20/86
 HOUSE
 Prefiled

 02/20/86
 HOUSE
 Referred to Criminal Justice, Appropriations

 04/03/86
 HOUSE
 Subreferred to Subcommittee on Crimes and Penalties

 04/08/86
 HOUSE
 Introduced, referred to Criminal Justice, Appropriations

 -HJ 50, Subreferred to Subcommittee on Crimes and Penalties
 -HJ 50, Subreferred to Criminal Justice, Appropriations

alties. On subcommittee agenda—Criminal Justice, 04/09/86, 330 pm, 314 HOB 04/10/86 HOUSE On Committee agenda—Criminal Justice, 04/14/86, 1 15

- 04/14/86 HOUSE On Committee agenca—criminal Justice, 04/14/86, 115 pm, 314 HOB 04/14/86 HOUSE Preliminary Committee Action by Criminal Justice Favor-
- able, as a Committee Substitute 04/28/86 HOUSE Comm Report CS by Criminal Justice -HJ 197, Now in
- Appropriations 05/01/86 HOUSE Withdrawn from Appropriations -HJ 234, Placed on Cal-
- endar 05/29/86 HOUSE Placed on Special Order Calendar
- 06/02/86 HOUSE CS read first and second times -HJ 694
- 06/03/86 HOUSE Read third time, CS passed, YEAS 95 NAYS 8 -HJ 746 (CONTINUED ON NEXT PAGE)

## FLORIDA LEGISLATURE—REGULAR SESSION—1986 HISTORY OF HOUSE BILLS

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#### H 456 (CONTINUED) 06/03/86 SENATE In Meanages 06/04/86 SENATE Received, referred to Health and Rehabilitative Services, Judiciary-Civil -SJ 622 06/07/86 SENATE Died in Committee on Health and Rehabilitative Services 02/25/86 HOUSE Withdrawn -HJ 50 H 458 GENERAL BILL by Locke (Identical S 995) Retirement/Enrollment Period, provides for additional optional period of enrollment in FRS for certain officers or employees of other retirement systems Amenda 121 051 Effective Date: 07/01/86. 02/20/86 HOUSE Prefiled 02/27/86 HOUSE Referred to Retirement, Personnel & Collective Bargaining, Appropriations 04/08/86 HOUSE Introduced, referred to Retirement, Personnel & Collective Bargaining; Appropriations -HJ 51 04/14/86 HOUSE On subcommittee agenda-Retirement, Personnel & Collective Barganing, 04/16/86, upon adjournment of full committee, 317 HOB-Temporarily passed H 06/07/86 HOUSE Died in Committee on Retirement, Personnel & Collective Bargaining H 459 GENERAL BILL by Hill and others Yacht & Shipbrokers, provides definitions; provides for rule making, administration, & registration, provides for suspension or revocation of registration; provides for fees & for review & repeal. Effective Date: 10/01/86 02/20/86 HOUSE Prefiled

02/27/86 HOUSE Referred to Regulatory Reform, Appropriations 04/07/86 HOUSE Subreferred to Subcommittee on Business Regulation 04/08/86 HOUSE Introduced, referred to Regulatory Reform, Appropriations -HJ 51, Subreferred to Subcommittee on Business Regulation

06/07/86 HOUSE Died in Committee on Regulatory Reform

H 460 GENERAL BILL by Grindle and others (Similar CS/CS/S 294, Compare H 7, H 128, CS/H 220, H 842, H 8-B, S 36, CS/S 126, S 184, S 251, S 647, S 662)

DUI or DWI/Driver's Licenses; provides for revocation or nonissuance of drivers' licenses for persons under specified ages who have been found guilty of certain alcohol or drug-related offenses; authorizes restricted driving privileges, provides felony penalties for 4th or subsequent DUI or DWI conviction, requires substance abuse course for assuance of driver's license to person who has certain previous convictions, etc. Amends Chs. 39, 316, 322, creates 322.055 Effective Date. 10/01/86

- 02/20/86 HOUSE Prefiled 02/27/86 HOUSE Referred to Criminal Justice, Appropriations 04/08/56 HOUSE Introduced, referred to Criminal Justice, Appropriations -HJ 51 On Committee agenda—Criminal Justice, 04/21/86, 1 15 pm, 314 HOB—Workshop Died in Committee on Criminal Justice, Iden /Sim / 04/17/86 HOUSE
- 06/07/86 HOUSE Compare bill passed, refer to HB 8-B (Ch. 86-296)
- H 461 LOCAL BILL by Shackelford

H 457

Ellenton Fire Control District: (Manatee Co.) increases Ellenton Fire Control District rates in schedule of special assemment. Effective Date 07/13/86 02/20/85 HOUSE Prefiled

- 02/27/86 HOUSE Referred to Community Affairs; Finance & Taxation 04/08/86 HOUSE Introduced, referred to Community Affairs, Finance & Texation -HJ 51 04/14/86 HOUSE
- On Committee agenda-Community Affairs, 04/16/86, 3 30 pm, 314 HOB 04/16/86 HOUSE
- Preliminary Committee Action by Community Affairs: Favorable
- 04/17/86 HOUSE Comm Report. Favorable by Community Affairs -HJ 159; Now in Finance & Texation 04/28/86 HOUSE
- Withdrawn from Finance & Taxation HJ 195, Placed on Celendar

05/14/86 HOUSE Placed on Local Calendar; Read second and third times; Passed, YEAS 119 NAYS 0 -HJ 393, Immediately certified 05/14/86 SENATE in Messages

- 06/02/86 SENATE Received, referred to Rules and Calendar -SJ 535
- 06/05/56 SENATE Considered by Rules and Calendar, placed on Local Calendar -SJ 00618 -SJ 657, Passed; YEAS 40 NAYS 0 -SJ 684 06/05/86 Ordered enrolled 06/27/86 Signed by Officers and presented to Governor
- 07/13/86 Became Law without Governor's Signature, Chapter No 86-383
- H 462 GENERAL BILL/CS by Judiciary; Dudley (Similar CS/ENG/S 536)

Probate/Estate Claims Protection, provides for protection & preservation of unmatured & contingent claims on an estate. Amenda 733 705 Effective Date 10/01/86 02/21/86 HOUSE Prefiled

- 02/27/86 HOUSE
- Referred to Judiciary; Appropriations 04/08/86 HOUSE

Introduced, referred to Judiciary, Appropriations -HJ 51 (PAGE NUMBERS REFLECT DAILY SENATE AND HOUSE JOURNALS AND NOT FINAL BOUND JOURNALS)

## H 462 (CONTINUES

462 (00)	TINUED)	
04/25/86		Subreferred to Subcommittee on Consumer, Probate and
04/20/00	HOUGE	Family Law, On subcommittee agenda-Judiciary,
		04/29/86, 1 15 pm, 212 HOB
04/29/86	HOUSE	Subcommittee Recommendation pending ratification by
0 1/ 20/ 00		full Committee Favorable, with amendment(s)
05/05/86	HOUSE	On Committee agende-Judiciary, 05/07/86, 3.30 pm, 214C
05/07/86	HOUSE	Preliminary Committee Action by Judiciary: Favorable, as
		a Committee Substitute
05/12/86	HOUSE	Comm. Report: CS by Judiciary -HJ 351; Now in Appro-
		priations
05/22/86	HOUSE	Withdrawn from Appropriations -HJ 500; Placed on Cal-
		endar
06/02/86		Placed on Special Order Calendar
06/04/86	HOUSE	Iden /Sim Senate Bill substituted, Laid on table under
		Rule, Iden /Sim /Compare Bill passed, refer to CS/SB 536
		(Ch 86–249) ~HJ 901
463 GE	NERAL B	ILL by Press (Compare CS/H 220, CS/CS/S 294)
DUL/DW	I/Drivers' L	acenses Suspension, provides minimum mandatory terms of
imprison	ment for ce	rtain persons who unlawfully operate a motor vehicle while
		nded or revoked for DUI/DWI violations Amends 322 34
	Date 10/01	
		Prefiled
	HOUSE	
04/08/86	HOUSE	Introduced, referred to Criminal Justice, Appropriations
04/100	UOUOR	-HJ 51
04/17/86	HOUSE	On Committee agenda—Criminal Justice, 04/21/86, 1.15
06/07/86	HOURE	pm, 314 HOB—Workshop Died in Committee on Criminal Justice
00/01/00	HUUSE	
		ILL by Press and others
		Offenses/Jail Time, removes restrictions upon penalties &
		cations for repeat DUI/DWI offenses. Amends 316 193,
		ter 10/01/86.
	HOUSE	
	HOUSE	Referred to Criminal Justice; Appropriations Introduced, referred to Criminal Justice, Appropriations
04/08/00	HUUSE	-HJ 51
04/17/86	HOUSE	On Committee agenda-Criminal Justice, 04/21/86, 1:15
04/11/00	HOUGH	pm, 314 HOB-Workshop
06/07/86	HOUSE	Died in Committee on Criminal Justice
		BILL/CS/ENG by Criminal Justice; Hanson
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04/09/86 HOUSE on by full Committee Favorable, with 4 amendments 04/10/86 HOUSE On Committee agenda-Education, K - 12, 04/14/86, 3 30 pm, 214C

(CONTINUED ON NEXT PAGE)

By Senator Fox

	1	A bill to be entitled			
	2	An act relating to domestic violence; amending			
	3 s. 415.601, F.S.; providing legislative intent;				
	4	amending ss. 415.602, 741.30, F.S.; redefining			
	5	"domestic violence" by expanding the definition			
	6	of what constitutes such violence and who			
age	7	constitutes a victim of such violence;			
per 1 c r	8	providing remedies; providing for enforcement			
ts bj	9	of those remedies and for penalties; amending			
5 cents per the public	10	s. 741.29, F.S.; requiring that certain			
	11	particulars be in a police report of an alleged			
o n	12	incident of domestic violence; providing an			
ost iture	13	effective date.			
r	14				
avera e Leg	15	Be It Enacted by the Legislature of the State of Florida:			
the t	16				
0 t	17	Section 1. Section 415.601, Florida Statutes, is			
• •	18	amended to read:			
produced f	19	415.601 Domestic violence cases; treatment and			
of a	20	rehabilitation of victims and perpetrators; legislative			
	21	intentThe Legislature recognizes that certain persons who			
tion is	22	commit acts or threatened acts of violence against another			
publication was he information	23	individual to whom such person is or was related by blood or			
plic	24	marriage or otherwise legally related or with whom such person			
4	25	is or was lawfully residing assault;-batter;-or-otherwise			
Th1.	26	abuse-thetr-spouses and the persons subject to such domestic			
	27	violence are in need of treatment and rehabilitation. It is			
	28	the intent of the Legislature to assist in the development of			
	29	domestic violence centers for the victims of domestic violence			
	30	and to provide a place where the parties involved may be			
	31	separated until they can be properly assisted.			
		1			

40-279-86

1 Section 2. Subsection (3) of section 415.602, Florida Statutes, is amended to read; 2 415.602 Definitions of terms used in ss. 415.601-3 415.608.--As used in ss. 415.601-415.608, the term: 4 5 (3) "Domestic violence" means any act or threatened act of violence which is committed by a person against another. 6 7 individual to whom such person is or was related by blood or 8 marriage or otherwise legally related or with whom such person 9 is or was lawfully residing assoult; -bettery; -or-criminal 10 sexual-conduct-by-a-person-against-the-person's-spouse. 11 Section 3. Subsection (2) of section 741.29, Florida 12 Statutes, is amended to read: 13 741.29 Investigations by law enforcement officers of incidents of domestic violence; notice to victims of legal 14 15 rights and remedies; reporting of incidents.--(2) When a law enforcement officer investigates an 16 17 allegation that an incident of domestic violence has occurred, whether or not an arrest is made, the officer shall make a 18 19 written police report of the alleged incident. The officer 20 shall submit the report to his supervisor or other person to 21 whom the employer's rules or policies require reports of 22 similar allegations of criminal activity to be made. This 23 report shall include specific descriptions of any injuries. 24 observable on the victim or defendant, any indicators of 25 threatening behavior or intoxication on the part of the 26 abuser, and any alleged or observed use of weapons. 27 Section 4. Subsection (1) of section 741.30, Florida 28 Statutes, is amended to read: 741.30 Action by spouse for injunction for protection 29 30 against domestic violence; powers and duties of court and 31 clerk of court; filing and form of petition for injunction;

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40-279-86
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1 notice and hearing; temporary injunction; issuance of
2
   injunction; enforcement.--
3
           (1) As used in this section, the term:
 4
           (a) "Domestic violence" means any act or threatened
 5
    act of violence which is committed by a person against another
 6
    individual to whom such person is or was related by blood or
 7
    marriage or otherwise legally related or with whom such person
    is or was lawfully residing. any-assault;-battery;-or-sexual
8
9
    battery-by-a-person-against-the-personis-spouse;
10
           (b)--*Spouse*-means-a-person-to-whom-another-person-is
11
    married-or-a-person-to-whom-another-person-has-been-married
12
    and-from-whom-such-person-is-now-separated-or-divorced;
13
           Section 5. This act shall take effect October 1, 1986.
14
15
16
              *****
17
                            SENATE SUMMARY
18
      Redefines "domestic violence" to include certain
      additional acts or threats and certain victims other than
      spouses. Provides remedies and penalties. Requires a
police report about domestic violence to include
19
20
      specified particulars.
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	SENA AST A	SENATE STAFF ANALY	SENATE STAFF ANALYSIS AND ECONO <u>STAFF DIRECTOR</u> <u>Hilling</u> 1. 2. 3.	SENATE STAFF ANALYSIS AND ECONOMIC IMPACT S           STAFF DIRECTOR       REFERENCE         Hill       1. HRS         2. JCI       3.         BILL NO. AN         PCS/SB 0103         HRS Committ	SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT         STAFF DIRECTOR       REFERENCE       ACTION         Hill       1. HRS

#### I. SUMMARY:

A. Present Situation:

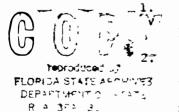
Sections 415.601-415.608, F.S., provides for the certification and funding of domestic violence centers which provide counseling and shelter to domestic violence victims and meet other statutorily-specified standards. Sections 741.29 and 741.30, F.S., direct law enforcement officers to take certain actions in domestic violence investigations and specify certain legal actions which may be taken by a victim and by the court. In each reference, "domestic violence" includes an assault, battery, or sexual battery by a person against his/her spouse, and "spouse" is defined as "a person to whom another person is married or ... has been married and from whom such person is now separated or divorced."

The law directs a law enforcement officer who is investigating an incident of domestic violence to advise an alleged victim of the location of a domestic violence center and of the legal rights and remedies which are available. It also directs the officer to make a written report of his investigation to his supervisor or other designated person.

Under the provisions of s. 741.30, F.S., an alleged victim has standing in the circuit court to file a petition for an injunction for protection against domestic violence, and s. 741.30(4)(a), F.S., prescribes the form the petition will take.

B. Effect of Proposed Changes:

The proposed legislation amends Chapter 415, F.S., and s. 741.29 and 741.30, F.S., as follows:



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It expands the definition of "domestic violence" to include threatened acts of assault, battery, or sexual battery.

It includes as a potential victim of domestic violence a person with whom an abuser "is or was cohabiting" which is defined as "members of the opposite sex living... as conjugal partners, though not legally married."

It specifies that the law enforcement officer's written report should include a description of injuries, indications of threatening behavior or intoxication on the part of the abuser, and any alleged or observed use of weapons.

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DATE: <u>April 22, 1986</u>

Page <u>2</u>

4. It makes the statutorily-prescribed form for the petition for injunction optional.

#### II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Expanding the pool of potential victims of domestic violence could impact centers, most of which already have waiting lists. However, on average, those domestic violence centers which receive state funds meet only about 37% of their budgets with such funds, and most are serving the broader pool of victims with other resources. Therefore, the proposed change in definition should not have a significant fiscal impact.

B. Government:

None.

III. COMMENTS:

.

None.

IV. AMENDMENTS:

None.

Florida Senate - 1986

## CS for SB 103

By the Committee on Health and Rehabilitative Services and Senator Pox-

		1	A bill to be entitled
		2	An act relating to domestic violence; amending
		3	s. 415.601, F.S.; providing legislative intent;
		4	amending s. 415.602 and s. 741.30, F.S.;
		5	redefining "domestic violence" by changing the
	5	6	definition of what constitutes such violence
202	5ed	7	and who constitutes a victim of such violence;
	1 ve	8	defining the term "cohabitating"; conforming
	5 cents per the public.	9	provisions relating to actions for protection
d		10	against domestic violence; amending s. 741.29,
	and a	11	F.S.; specifying that certain particulars be in
	ö	12	a police report of an alleged incident of
	rei cost o Legislature	13	domestic violence; providing an effective date.
(	151	14	
	avei e Leg	15	Be It Enacted by the Legislature of the State of Florida:
		16	
	at an of th	17	Section 1. Section 415.601, Florida Statutes, is
	10 A 1	18	amended to read:
	produced of members	19	415.601 Domestic violence cases; treatment and
	pro f	20	rehabilitation of victims and perpetrators; legislative
	10 H	21	intentThe Legislature recognizes that certain persons who
3	t i	22	commit or threaten to commit an assault, battery, or sexual
	publication vas he information o	23	battery against another individual to whom such person is or
	inf	24	was married or with whom such person is or was cohabitating
	וע ו	25	assault;-batter;-or-otherwise-abuse-their-spouses and the
	This for	26	victims of persons-subject-to such domestic violence are in
Į	H H	27	need of treatment and rehabilitation. It is the intent of the
		28	Legislature to assist in the development of domestic violence
		29	centers for the victims of domestic violence and to provide a
		30	place where the parties involved may be separated until they
		31	can be properly assisted.
			1

Section 2. Subsection (3) of section 415.602, Florida 2 Statutes, is amended and subsection (6) is added to said section to read: 31 415.602 Definitions of terms used in ss. 415.601-5 415.608.--As used in ss. 415.601-415.608, the term: (3) "Domestic violence" means any act or threatened 7 act of assault, battery, or sexual battery by a person against 8 another individual to whom such person is or was married or with whom such person is or was cohabitating assault; -battery; 9 10 or-criminal-sexual-conduct-by-a-person-against-the-person's 11 spouse. (6) "Cohabitating" means members of the opposite sex 12 13 living in a single dwelling unit as conjugal partners, though 14 not legally married. 15 Section 3. Subsection (2) of section 741.29, Florida 16 Statutes, is amended to read: 17 741.29 Investigations by law enforcement officers of 18 incidents of domestic violence; notice to victims of legal 19 rights and remedies; reporting of incidents.--20 (2) When a law enforcement officer investigates an allegation that an incident of domestic violence has occurred, 21 22 whether or not an arrest is made, the officer shall make a 23 written police report of the alleged incident. The officer 24 shall submit the report to his supervisor or other person to 25 whom the employer's rules or policies require reports of 26 similar allegations of criminal activity to be made. This 27 report shall include specific descriptions of any injuries 28 observable on the victim or abuser, any indicators of 29 threatening behavior or intoxication on the part of the 30 abuser, and any alleged or observed use of veapons. 31

2

#### CS for SB 103

Section 4. Subsection (1), paragraph (a) of subsection (2), and paragraph (b) of subsection (4) of section 741.30, 3 Florida Statutes, are amended to read: 741.30 Action by-spouse for injunction for protection against domestic violence; powers and duties of court and 5 clerk of court; filing and form of petition for injunction; 6 7 notice and hearing; temporary injunction; issuance of injunction; enforcement.--8 (1) As used in this section, the term: 9 10 (a) "Domestic violence" means <u>any act or threatened</u> act of assault, battery, or sexual battery by a person against 11 12 another individual to whom such person is or was married or 13 with whom such person is or was cohabitating, eny-assesses, battery-or-sexual-battery-by-a-person-against-the-person's 14 15 SPOUSET 16 (b) <u>"Cohabitating" means members of the opposite sex</u> 17 living in a single dwelling unit as conjugal partners, though not legally married, "Spouse"-means-a-person-to-whom-another 18 19 person-is-married-or-a-person-to-whom-another-person-has-been married-and-from-whom-such-person-is-now-separated-or 20 21 divorced-22 (2) There is created a cause of action for an 23 injunction for protection in cases of domestic violence. 24 (a) Any person spouse who is the victim of any act of 25 domestic violence has standing in the circuit court to file a sworn petition for an injunction for protection against 26 27 domestic violence. 28 (4) 29 (b) The sworn petition may shall be in substantially 30 the following form: 31 3

PETITION FOR 1 2 INJUNCTION FOR PROTECTION 3 AGAINST DOMESTIC VIOLENCE 5 Before me, the undersigned authority, personally appeared 6 Petitioner ... (Name)..., who has been sworn and says that the 7 following statements are true: 8 (a) Petitioner resides at: ...(address)... 9 (b) Respondent resides at: ...(address)... 10 (c) Petitioner is or was married to the respondent or 11 is or was cohabitating with the respondent is-the-spouse-or 12 former-spouse-of-the-Petitioner. 13 (d) Petitioner has suffered domestic violence because 14 respondent has:.... 15 (e) Petitioner alleges the following additional specific facts: (mark appropriate sections) 16 17 .... Petitioner is the custodian of a minor child or children whose names and ages are as follows:..... 18 19 .... Petitioner needs the exclusive use and possession 20 of the dwelling that the parties share. 21 .... Petitioner is unable to obtain safe alternative 22 housing because: ..... 23 .... Petitioner genuinely fears that respondent will 24 abuse, remove, or hide the minor child or children from 25 petitioner because:..... 26 (f) Petitioner genuinely fears domestic violence by 27 respondent. 28 (g) Petitioner seeks: {mark appropriate section or 29 sections) 30 .... An immediate injunction restraining the respondent 31 from committing any acts of domestic violence.

BILL ACTION REPORT											
(C3-75. File with Secretary of Senate) (S) (203 BILL NO. 103											
(C3-75. Fil	e with Secretary of	Senat	:e)			(5)(	D) BII	L NO	10		
COMMITTEE ON	HEALTH AND REHABI	LITAT	IVE SI	ERVICE	s						
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(Attach additional page if necessary)

Please Complete. The key sponsor appeared A Senator appeared Sponsor's aide appeared Other appearance

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ORIGINAL COPY

DATE: April 25, 1986

#### SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

ANALYST	STAFF DIRECTOR		REFERENCE	ACTION	
1. Whiddon [W] 2 3	<u>Hill</u>	1. 2. 3.	HRS	<u>Fav/CS</u>	
SUBJECT:			BILL NO. AND	SPONSOR:	
Domestic Vio	lence		CS/SB 0103 b HRS Committe Senator Fox		
1					

#### I. SUMMARY:

A. Present Situation:

Sections 415.601-415.608, F.S., provides for the certification and funding of domestic violence centers which provide counseling and shelter to domestic violence victims and meet other statutorily-specified standards. Sections 741.29 and 741.30, F.S., direct law enforcement officers to take certain actions in domestic violence investigations and specify certain legal actions which may be taken by a victim and by the court. In each reference, "domestic violence" includes an assault, battery, or sexual battery by a person against his/her spouse, and "spouse" is defined as "a person to whom another person is married or ... has been married and from whom such person is now separated or divorced."

The law directs a law enforcement officer who is investigating an incident of domestic violence to advise an alleged victim of the location of a domestic violence center and of the legal rights and remedies which are available. It also directs the officer to make a written report of his investigation to his supervisor or other designated person.

Under the provisions of s. 741.30, F.S., an alleged victim has standing in the circuit court to file a petition for an injunction for protection against domestic violence, and s. 741.30(4)(a), F.S., prescribes the form the petition will take.

B. Effect of Proposed Changes:

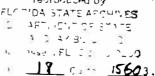
The proposed legislation amends Chapter 415, F.S., and s. 741.29 and 741.30, F.S., as follows:

It expands the definition of "domestic violence" to include threatened acts of assault, battery, or sexual battery.

It includes as a potential victim of domestic violence a person with whom an abuser "is or was cohabiting" which is defined as "members of the opposite sex living... as conjugal partners, though not legally married."

It specifies that the law enforcement officer's written report should include a description of injuries, indications of threatening behavior or intoxication on the part of the abuser, and any alleged or observed use of weapons.





DATE: April 25, 1986

Page <u>2</u>

4. It makes the statutorily-prescribed form for the petition for injunction optional.

#### II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Expanding the pool of potential victims of domestic violence could impact centers, most of which already have waiting lists. However, on average, those domestic violence centers which receive state funds meet only about 37% of their budgets with such funds, and most are serving the broader pool of victims with other resources. Therefore, the proposed change in definition should not have a significant fiscal impact.

B. Government:

None.

III. COMMENTS:

None.

IV. AMENDMENTS:

None.

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Florida Senate - 1986

1

## CS tor CS tor SB103

By the Committee on Judiciary-Civil and Health and Rehabilitative Services and Senator Fox-

	1	A bill to be entitled
	2	An act relating to domestic violence; amending
	3	s. 415.601, F.S.; providing legislative intent;
	4	amending s. 415.602 and s. 741.30, F.S.;
	5	redefining "domestic violence" by changing the
	6	definition of what constitutes such violence;
5ed	7	conforming provisions relating to actions for
h .	8	protection against domestic violence; amending
910	9	s. 741.29, F.S.; specifying that certain
5 cents pe the public	10	particulars be in a police report of an alleged
	11	incident of domestic violence; providing an
or lo	12	effective date.
	13	
cost	14	Be It Enacted by the Legislature of the State of Florida:
r e E e i	15	
n avera cost ( the Legislature	16	Section 1. Section 415.601, Florida Statutes, is
	17	amended to read:
a t	18	415.601 Domestic violence cases; treatment and
oduced .	19	rehabilitation of victims and perpetrators; legislative
1 M	20	intentThe Legislature recognizes that certain persons who
	21	assault, threaten to commait a battery or sexual battery
publication vas he information	22	<u>against, or commit a battery or sexual battery against.</u>
t io	23	another individual to whom such person is or was married
info	24	assault7-batter7-or-otherwise-abuse-their-spouses and the
d a d d	25	victims of persons-subject-to such domestic violence are in
This for t	26	need of treatment and rehabilitation. It is the intent of the
54	27	Legislature to assist in the development of domestic violence
	28	centers for the victims of domestic violence and to provide a
	29	place where the parties involved may be separated until they
	30	can be properly assisted.
	31	
		1

308-18998-86

1 Section 2. Subsection (3) of section 415.602, Florida 2 Statutes, is amended to read: 3 415.602 Definitions of terms used in ss. 415.601-415.608.--As used in ss. 415.601-415.608, the term: 4 (3) "Domestic violence" means any assault, threat to 5 6 commit a battery or sexual battery, or battery or sexual battery against another individual to whom such person is or 7 vas married assault7-battery7-or-criminal-sexual-conduct-by-a . 9 person-against-the-person's-spouse. 10 Section 3. Subsection (2) of section 741.29, Florida 11 Statutes, is amended to read; 12 741.29 Investigations by law enforcement officers of 13 incidents of domestic violence; notice to victims of legal 14 rights and remedies; reporting of incidents. --(2) When a law enforcement officer investigates an 15 16 allegation that an incident of domestic violence has occurred, whether or not an arrest is made, the officer shall make a 17 written police report of the alleged incident. The officer 18 19 shall submit the report to his supervisor or other person to 20 whom the employer's rules or policies require reports of 21 similar allegations of criminal activity to be made. This 22 report shall include specific descriptions of any injuries observable on the victim or abuser, any indicators of 23 24 threatening behavior or intoxication on the part of the 25 abuser, and any alleged or observed use of weapons. 26 Section 4. Subsection (1), paragraph (a) of subsection 27 (2), and paragraph (b) of subsection (4) of section 741.30, Florida Statutes, are amended to read: 28 741.30 Action by-spouse for injunction for protection 29 30 against domestic violence; powers and duties of court and clerk of court; filing and form of petition for injunction; 31 2

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308-18998-86
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1 notice and hearing; temporary injunction; issuance of
    injunction; enforcement.--
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           (1) As used in this section, the term:
           (a) "Domestic violence" means any assault, threat to
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    commit a battery or sexual battery, or battery or sexual
    battery against another individual to whom such person is or
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7
    was married, any-assault;-battery;-or-sexual-battery-by-a
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    person-against-the-person's-spouset
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           (b) "Spouse" means a person to whom another person is
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   married or a person to whom another person has been married
    and from whom such person is now separated or divorced.
11
12
           (2) There is created a cause of action for an
    injunction for protection in cases of domestic violence.
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           (a) Any person spouse who is the victim of any act of
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    domestic violence has standing in the circuit court to file a
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    sworn petition for an injunction for protection against
17
    domestic violence.
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           (4)
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           (b) The sworn petition may shall be in substantially
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    the following form:
21
                             PETITION FOR
                      INJUNCTION FOR PROTECTION
22
                      AGAINST DOMESTIC VIOLENCE
23
24
25
    Before me, the undersigned authority, personally appeared
26
    Petitioner ... (Name)..., who has been sworn and says that the
    following statements are true:
27
28
           (a) Petitioner resides at: ...(address)...
           (b) Respondent resides at: ...(address)...
29
           (c) Petitioner is or was married to the respondent is
30
31
    the-spouse-or-former-spouse-of-the-Petitioner.
                                  3
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308-1899A-86

(d) Petitioner has suffered domestic violence because 1 respondent has:..... 2 (e) Petitioner alleges the following additional 3 specific facts: (mark appropriate sections) 4 .... Petitioner is the custodian of a minor child or 5 6 children whose names and ages are as follows:...... 7 .... Petitioner needs the exclusive use and possession 8 of the dwelling that the parties share. .... Petitioner is unable to obtain safe alternative 9 10 housing because: ..... 11 .... Petitioner genuinely fears that respondent will 12 abuse, remove, or hide the minor child or children from 13 petitioner because:..... 14 (f) Petitioner genuinely fears domestic violence by 15 respondent. 16 (g) Petitioner seeks: (mark appropriate section or 17 sections) 18 .... An immediate injunction restraining the respondent 19 from committing any acts of domestic violence. 20 .... An injunction restraining the respondent from 21 committing any acts of domestic violence. 22 .... An injunction awarding to the petitioner the 23 temporary exclusive use and possession of the dwelling that the parties share or excluding the respondent from the 24 25 residence of the petitioner. .... An injunction awarding temporary custody of, or 26 temporary visitation rights with regard to, the minor child or 27 28 children of the parties. 29 .... An injunction establishing temporary support for 30 the minor child or children or the petitioner. 31 4

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308-18998-86
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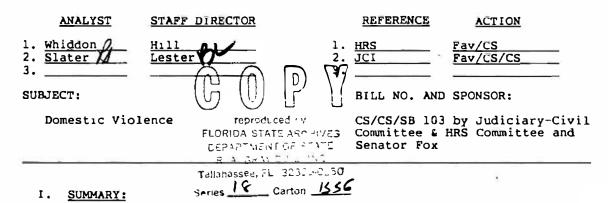
CS for CS for SB 103

..... An injunction directing the respondent to participate in treatment or counseling services. \*\*\*\* An injunction providing any terms the court deems necessary for the protection of a victim of domestic violence, including any injunctions or directives to law enforcement agencies. Section 5. This act shall take effect October 1, 1986. . STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR Senate Bill 103 Committee Substitute for SB 103 was amended to define domestic violence as "any act of assault or threatened act of battery or sexual battery by a person against another individual to whom such person is or was married." 

DATE: May 15, 1986

Page 1

#### SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT



A. Present Situation:

Sections 415.601-415.608, F.S., provide for domestic violence centers which are facilities that offer services to victims of domestic violence. Domestic violence is "any assault, battery or criminal sexual conduct by a person against the person's spouse." Spouse is defined as "a person to whom another person is married or a person to whom another person has been married and from whom such person is now separated or divorced." A domestic violence center must meet statutory standards as well as standards established by the Department of Health and Rehabilitative Services before being certified a domestic violence center. Once certified, a center is eligible for state matching funding.

Section 741.29, F.S., directs a law enforcement officer who investigates an alleged incident of domestic violence to advise the victim that there is a domestic violence center from which the victim may receive services and to give the victim a standard form developed by the Florida Department of Law Enforcment giving the victim notice of his legal rights and remedies. In addition, the law enforcement officer must make a written police report of the alleged incident.

Section 741.30, F.S., creates a cause of action for an injunction for protection in cases of domestic violence and prescribes the form for a petition for injunction.

B. Effect of Proposed Changes:

Committee Substitute for Committee Substitute for Senate Bill 103 would amend Chapter 415, F.S., and ss. 714.29 and 741.30, F.S., as follows:

- It defines "domestic violence" as "any assault or threat to commit a battery or sexual battery, or battery or sexual battery by a person against another individual to whom such person is or was married."
- It specifies that the law enforcement officer's written report should include a description of injuries observable on the victim or abuser, indications of threatening behavior or intoxication on the part of the abuser, and any alleged or observed use of weapons.
- 3. It makes the statutorily-prescribed form for the petition for injunction optional.

REVISED:	_	1
DATE:	<u>May 15</u>	1986

BILL NO. CS/CS/SB 103

Page 2

A. Public:

Expanding the potential victims of domestic violence could impact the domestic violence centers, most of which already have waiting lists. However, most of the domestic violence centers which receive state funds meet only about 37% of their budgets with state funding, and most are already serving these victims with other resources. Therefore, the proposed change in definition should not have a significant fiscal impact.

B. Government:

None.

III. COMMENTS:

None.

IV. AMENDMENTS:

None.

#### STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR Senate Bill 103

Committee Substitute for SB 103 was amended to define domestic violence as "any act of assault or threatened act of battery or sexual battery by a person against another individual to whom such person is or was married."

Committee on \_\_\_\_\_Judiciary-Civil\_\_\_\_\_

(FILE TWO COPIES WITH THE SECRETARY OF THE SENATE)

# Journal

of the

# Florida House of Representatives



## Eighty-eighth

# **Regular Session**

since Statehood in 1845

April 8 through June 7, 1986

[Including a record of transmittal of Acts subsequent to sine die adjournment]

By the Committee on Judiciary-Civil and Senator Jennings-

CS for SB 780—A bill to be entitled An act relating to local parking regulation, amending s 316 008, FS, authorizing counties and municipalities to provide, by ordinance, increased fines for violation of specified fire-safety related noncriminal traffic violations, providing for use of increased fines for firefighter education programs; providing for reporting of fine collections by clerks of court, providing an effective date

—was read the first time by title and placed on the Calendar without reference

By the Committee on Economic, Community and Consumer Affairs and Senator Weinstein-

CS for SB 973—A bill to be entitled An act relating to municipal annexation, amending s 171 062, FS, specifying that contracts in effect prior to annexation are not affected by annexation, providing an effective date

—was read the first time by title and placed on the Calendar without reference  $% \left( {{{\left[ {{{L_{\rm{c}}}} \right]}_{\rm{c}}}_{\rm{c}}} \right)$ 

By the Committee on Finance, Taxation and Claims and Senator Weinstein-

CS for SB 1166—A bill to be entitled An act relating to special assessments, amending s 197 363, FS, requiring a public hearing for adoption of ad valorem special assessments, amending s 200 068, FS, requiring that copies of ordinances or resolutions levying such special assessments accompany the certified statement of compliance, providing an effective date

-was read the first time by title and referred to the Committees on Finance & Taxation and Appropriations

#### By Senator Hair-

SB 164—A bill to be entitled An act relating to the City of Jacksonville, providing for the relief of David G Baker, requiring the city to compensate him for personal injuries sustained in an intersectional collision due to the negligence of the City of Jacksonville in failing to properly maintain stop signs at the intersection, providing an effective date

Proof of publication of the required notice was attached

-was read the first time by title and referred to the Select Committee on Claims

By the Committees on Governmental Operations and Judiciary-Civil and Senator Jennings—

CS for CS for SB 604—A bill to be entitled An act relating to judgments, amending s 55 01, FS, requiring final judgments to include additional information identifying the judgment debtor, amending s 55 505, FS, requiring affidavits for the recording of foreign judgments to include additional information identifying the judgment debtor and judgment creditor, providing an effective date

—was read the first time by title and referred to the Committee on Judiciary

By the Committee on Corrections, Probation and Parole-

CS for SB 516—A bill to be entitled An act relating to correctional education, creating s 242.68, FS, providing for vocational and academic education for prisoners under jurisdiction of the Department of Corrections, creating a Correctional Education School Authority, a Board of Correctional Education, and the position of Director of Correctional Education, providing duties, providing for a comprehensive plan for correctional education, providing for legislative appropriations, providing for policies, goals, objectives, and duties, requiring that immates meet graduation requirements provided for in ss 232.246, and '32.247 FS, providing for a comprehensive operational training plan, providing to the transfer of educational programs, personnel property and tunds trom the Department of Corrections to

the Correctional Education School Authority, providing for a staffing and funding formula, providing for implementation, amending s 229565, FS, requiring periodic evaluations of correctional education, repealing s 94419, FS, relating to education of prisoners under the jurisdiction of the Department of Corrections, providing an effective date

-was read the first time by title and placed on the Calendar without reference

By Senator Gordon-

SB 67—A bill to be entitled An act for the relief of Raul del Portilio, providing an appropriation to compensate him for loss of cumulative compensatory leave time prior to his resignation from the Department of Law Enforcement, providing an effective date

-was read the first time by title and referred to the Select Committee on Claims

By the Committee on Commerce and Senator Gordon and others-

CS for SB 1—A bill to be entitled An act relating to the Beverage Law, amending s 56251, FS, prohibiting licensees from discriminating against persons on specified grounds, providing a definition, amending s 56115, FS, providing for the withholding of certain licenses, amending s 22013, FS, disallowing business expenses paid to discriminating licensees, providing an effective date

—was read the first time by title and referred to the Committee on Judiciary

By Senator Kirkpatrick-

SB 946—A bill to be entitled An act relating to the Florida Retirement System, amending s 121 35, FS, deleting certain limitations on insurers who may offer annuities under the optional retirement programs for state university employees, providing for participation by a Florida domestic insurance company under certain conditions, providing an effective date

-was read the first time by title and referred to the Committee on Appropriations

The Honorable James Harold Thompson, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS/CS/SB 103 and requests the concurrence of the House

#### Joe Brown, Secretary

By the Committees on Judiciary-Civil and Health and Rehabilitative Services and Senator Fox-

CS for CS for SB 103—A bill to be entitled An act relating to domestic violence, amending s 415 601, FS, providing legislative intent, amending s 415 602 and s 741 30, FS, redefining "domestic violence" by changing the definition of what constitutes such violence, conforming provisions relating to actions for protection against domestic violence, amending s 741 29, FS, specifying that certain particulars be in a police report of an alleged incident of domestic violence, providing an effective date

-was read the first time by title On motion by Rep Gordon, the rules were waived by two-thirds vote and the bill was read the second time by title

Representatives Gordon and Figg offered the following amendment

Amendment 1-On page 1, line 15, insert Section 1 Section 415 601, Florida Statutes, is amended to read

415 601 Domestic violence cases, treatment and rehabilitation of victims and perpetrators, legislative intent—The Legislature recognizes that certain persons who commit or threaten to commit an assault battery or sexual battery against another individual to whom such person is or was married or with whom such person is or was ionabitating ossault, batter, or <u>athena as abuse their spouses</u> and the *victims* of person subject to such domestic violence are in need of treatment and rehabilitation. It is the intent of the Legislature to assist in the development of domestic violence centers for the victims of domestic violence and to provide a place where the parties involved may be separated until they can be properly assisted

Section 2 Subsection (3) of section 415 602, Florida Statutes is amended and subsection (6) is added to said section to read

415 602 Definitions of terms used in ss 415 601-415 608 - As used in ss 415 601-415 608, the term

(3) "Domestic violence" means any act or threatened act of assault, battery, or sexual battery by a person against another individual to whom such person is or was married or with whom such person is or was cohabitating account, battery, or criminal sexual conduct by a person against the person's spouse

(6) "Cohabitating" means members of the opposite sex living in a single dwelling unit as conjugal partners, though not legally married

Section 3 Subsection (2) of section 741 29, Florida Statutes, is amended to read

741 29 Investigations by law enforcement officers of incidents of domestic violence, notice to victims of legal rights and remedies, reporting of incidents -

(2) When a law enforcement officer investigates an allegation that an incident of domestic violence has occurred, whether or not an arrest is made, the officer shall make a written police report of the alleged incident The officer shall submit the report to his supervisor or other person to whom the employer's rules or policies require reports of similar allegations of criminal acivity to be made This report shall include specific descriptions of any injuries observable on the victim or abuser, any indicators of threatening behavior or intoxication on the part of the abuser, and any alleged or observed use of weapons

Section 4 Subsection (1), paragraph (a) of subsection (2), and paragraph (b) of subsection (4) of section 741 30, Florida Statutes, are amended to read

741 30 Action by spouse for injunction for protection against domestic violence, powers and duties of court and clerk of court, filing and form of petition for injunction, notice and hearing, temporary injunction, issuance of injunction, enforcement -

(1) As used in this section, the term

(a) "Domestic violence" means any act or threatened act of assault, battery, or sexual battery by a person against another individual to whom such person is or was married or with whom such person is or was cohabitating any assault, battery, or sexual battery by a person against the person's spouse

(b) "Cohabitating" means members of the opposite sex living in a single dwelling unit as conjugal partners, though not legally married "Spouce" means a person to whom another person is married or a person to whom another person has been married and from whom such percen is now separated or divorced

(2) There is created a cause of action for an injunction for protection in cases of domestic violence.

(a) Any person spouse who is the victim of any act of domestic violence has standing in the circuit court to file a sworn petition for an injunction for protection against domestic violence

(4)

(b) The sworn petition may shall be in substantially the following form

#### PETITION FOR INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE

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

(b) Respondent resides at (address)

10 Petitioner is or was married to the respondent or is or was cohabitating with the respondent is the spouse or former spouse of the Petitioner

(d) Petitioner has suffered domestic violence because respondent has

(e) Petitioner alleges the following additional specific facts (mark appropriate sections)

Petitioner is the custodian of a minor child or children whose names and ages are as follows

Petitioner needs the exclusive use and possession of the dwelling that the parties share

Petitioner is unable to obtain safe alternative housing because

Petitioner genuinely fears that respondent will abuse, remove, or hide the minor child or children from petitioner because

(f) Petitioner genuinely fears domestic violence by respondent

(g) Petitioner seeks (mark appropriate section or sections)

An immediate injunction restraining the respondent from committing any acts of domestic violence

An injunction restraining the respondent from committing any acts of domestic violence

An injunction awarding to the petitioner the temporary exclusive use and possession of the dwelling that the parties share or excluding the respondent from the residence of the petitioner

An injunction awarding temporary custody of, or temporary visitation rights with regard to, the minor child or children of the parties

An injunction establishing temporary support for the minor child or children or the petitioner

An injunction directing the respondent to participate in treatment or counseling services

An injunction providing any terms the court deems necessary for the protection of a victim of domestic violence, including any injunctions or directives to law enforcement agencies (renumber subsequent sections)

Rep Gordon moved the adoption of the amendment, which was adopted

Representatives Gordon and Figg offered the following title amendment

Amendment 2-On page 1, line 2, after the semicolon insert amending s 415 601, FS, providing legislative intent, amending s 415 602 and s 741 30, FS, redefining "domestic violence" by changing the definition of what constitutes such violence and who constitutes a victim of such violence; defining the term "cohabitating", conforming provisions relating to actions for protection against domestic violence, amending s 741 29, FS, specifying that certain particulars be in a police report of an alleged incident of domestic violence.

Rep Gordon moved the adoption of the amendment, which was adopted

On motion by Rep Gordon, the rules were waived by two-thirds vote and CS/CS/SB 103, as amended, was read the third time by title. On passage, the vote was

Yeas-99

## JOURNAL OF THE HOUSE OF REPRESENTATIVES

Gonzalez-	Jones, C F	Metcalf	Sansom
Quevedo	Jones, D L	Mills	Selph
Gordon	Kelly	Mitchell	Shelley
Grant	Kımmel	Morgan	Silver
Grindle	Lawson	Morse	Simon
Gustafson	Lehtinen	Nergard	Smith
Gutman	Lew15	Patchett	Souto
Hanson	Liberti	Peeples	Thomas, D L
Harris	Lippman	Press	Thomas, J
Hawkins, L R	Locke	Reaves	Titone
Hawkins, M E	Lombard	Reddick	Tobiassen
Hıll	Mackenzie	Renke	Tobin
Hollingsworth	Martin	Robinson	Wallace
Jamerson	Martinez	Rochlin	Watt
Jennings	McEwan	Ros-Lehtinen	Weinstock
Johnson, B L	Meffert	Sample	Wetherell
Johnson, R C	Messersmith	Sanderson	Young
Nays—11			
Bankhead	Clements	Langton	Webster
Brantley	Frishe	Shackelford	Woodruff
Carlton	Irvine	Simone	

Votes after roll call

Yeas to Nays-Lewis, Morgan Nays to Yeas-Carlton

So the bill passed, as amended, and was immediately certified to the Senate after engrossment

### The Honorable James Harold Thompson, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS/HB 731, with amendments and requests the concurrence of the House

#### Joe Brown, Secretary

CS/HB 731—A bill to be entitled An act relating to obscenity, creating s 847 0135, FS, creating the "Computer Pornography and Child Exploitation Prevention Act of 1986", providing definitions, prohibiting the transmission of computer pornography involving minors, providing penalties, amending chapter 847, Florida Statutes, adding a definition section, revising the elements of the sale or distribution of harmful materials to a child, retail display of materials harmful to minors, and exposing minors to harmful motion pictures, exhibitions, shows, presentations, or representations, removing obsolete language, providing for the confiscation and destruction of obscene material, providing an effective date

Senate Amendment 1—Cn page 1, line 19, strike everything after the enacting clause and insert Section 1 Section 847 001, Florida Statutes, is created to read

847.001 Definitions - When used in this chapter

(1) "Computer" means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device

(2) "Deviate sexual intercourse" means sexual conduct between persons not married to each other consisting of contact between the penis and the anus, the mouth and the penis, or the mouth and the vulva

(3) "Harmful to minors" means that quality of any description, exhibition, presentation, or representation, in whatever form, of nudity, sexual conduct, or sexual excitement when it

(a) Predominantly appeals to the prurient, shameful, or morbid interest of minors,

(b) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors, and (c) Taken as a whole, is without serious literary, artistic, political, or scientific value for minors

(4) "Minor" means any person under the age of 18 years

(5) "Nudity" means the showing of the human male or female genitals, public area, or buttocks with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state

(6) "Person" includes individuals, firms, associations, corporations, and all other groups and combinations

(7) "Obscene" means the status of material which

(a) The average person, applying contemporary community standards, would find, taken as a whole, appeals to the prurient interest,

(b) Depicts or describes, in a patently offensive way, sexual conduct as specifically defined herein, and

(c) Taken as a whole, lacks serious literary, artistic, political or scientific value

(8) "Sadomasochistic abuse" means flagellation or torture by or upon a person, or the condition of being fettered, bound, or otherwise physically restrained, for the purpose of deriving sexual satisfaction from inflicting harm on another or receiving such harm oneself

(9) "Sexual battery" means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object, however, sexual battery does not include an act done for a bona fide medical purpose

(10) "Sexual bestiality" means any sexual act between a person and an animal involving the sex organ of the one and the mouth, anus, or vagina of the other

(11) "Sexual conduct" means actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, or sadomasochistic abuse, actual lewd exhibition of the genitals, actual physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such person is a female, breast; or any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed

(12) "Sexual excitement" means the condition of the human male or female genitals when in a state of sexual stimulation or arousal

(13) "Simulated" means the explicit depiction of conduct set forth in subsection (10) which creates the appearance of such conduct and which exhibits any uncovered portion of the breasts, genitals, or buttocks

Section 2 Section 847 011, Florida Statutes, is amended to read

 $847\ 011$  Prohibition of certain acts in connection with obscene, lewd, etc., materials, penalty —

(1)(a) Any A person who knowingly sells, lends, gives away, distributes, transmits, shows, or transmutes, or offers to sell, lend, give away, distribute, transmit, show, or transmute, or has in his possession, custody, or control with intent to sell, lend, give away, distribute, transmit, show, transmute, or advertise in any manner, any obscene, lewd, laservious, filthy, indecent, sadistie, or masschistie book, magazine, periodical, pamphlet, newspaper, comic book, story paper, written or printed story or article, writing, paper, card, picture, drawing, photograph, motion-picture film, figure, image, phonograph record, or wire or tape or other recording, or any written, printed, or recorded matter of any such character which may or may not require mechanical or other means to be transmuted into auditory, visual, or sensory representations of such character, or any article or instrument for obscene of indecent use, or purporting to be for obscene indecent use or purpose, or who knowingly designs, copies, draws, photographs, poses for, writes, prints, publishes, or in any manner whatsoever manufactures or prepares any such material, matter, article, or thing of any such character; or who knowingly writes, prints, publishes, or utters, or causes to be written, printed, published, or uttered, any advertisement or notice of any kind, giving information, directly or indirectly stating, or purporting to state, where, how, of whom, or by

June 4, 1986

Florida House of Representatives - 1986

# HB 456

By Representative Gordon

	1	A bill to be entitled
	2	An act relating to domestic violence; amending
	3	s. 415.601, F.S.; providing legislative intent;
	-4	amending s. 415,602 and s. 741.30, F.S.;
	5	redefining "domestic violence" by expanding the
	6	definition of what constitutes such violence
	7	and who constitutes a victim of such violence;
	a	defining the term "cohabitating"; providing
2 5	9	remedies; providing for enforcement of those
t of 1.5 cents per	10	remedies and for penalties; amending s. 741.29,
	11	F.S.; requiring that certain particulars be in
	12	a police report of an alleged incident of
publication was produced at an average cost e page in compliance with the Rules and for mears of the Legislature and the public	13	domestic violence, providing an effective date.
erage bubl	14	
Le al	15	Be It Enacted by the Legislature of the State of Flor.da.
e tru	16	
oduce te wi	17	Section 1. Section 415.601, Florida Statutes, :s
tan egis	18	amended to read:
C P P	19	415.601 Domestic violence cases; treatment and
blication page in	20	rehabilitation of victims and perpetrators; legislative
public le pagenders	21	intentThe Legislature recognizes that certain persons who
This singl	22	commit_acts or threatened acts of violence against another
	23	individual to whom such person is or was related by plood or
	24	marriage or otherwise legally related or with whom such person
	25	is cohabitating assault;-batter;-or-otherwise-abuse-their
	26	<b>Spouses and the persons subject to such domestic violence are</b>
	27	in need of treatment and rehabilitation. It is the intent of
	28	the Legislature to assist in the development of domestic
	29	violence centers for the victims of domestic violence and to
	30	provide a place where the parties involved may be separated
	31	until they can be properly assisted.

CODING. Words in assuch through type are detailions from existing law, words <u>underlined</u> are additions

215-249C-2-6

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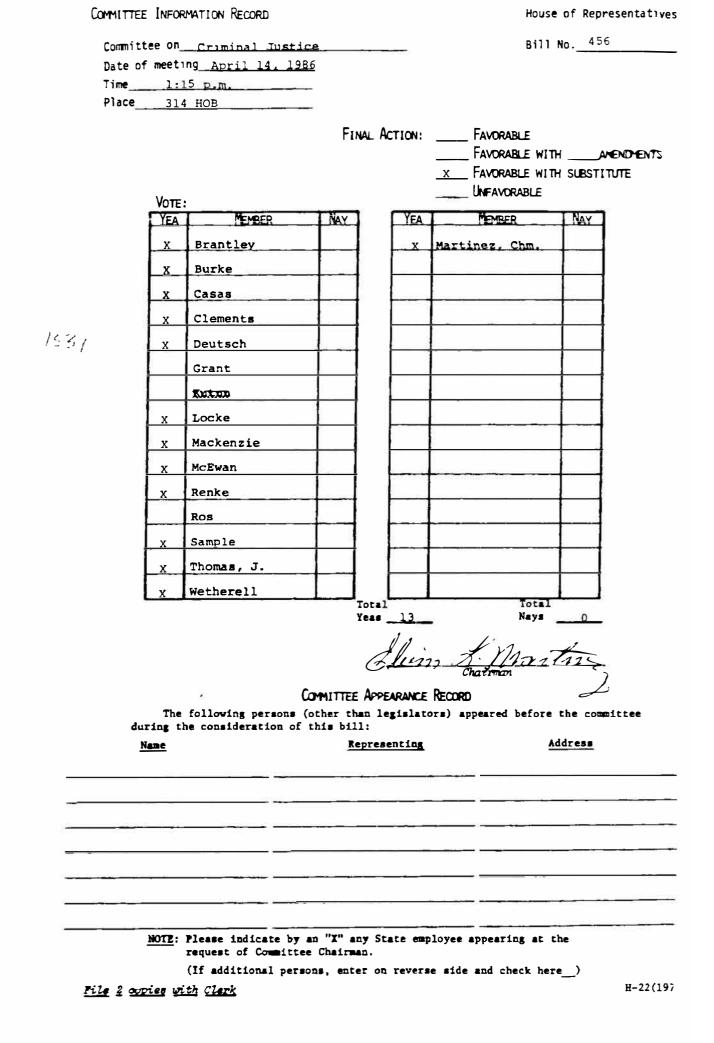
1	Section 2. Subsection (3) of section 415.602, Florida	1.25
2	Statutes, is amended and subsection (6) is added to said	1.25/1
3	section to read:	
4	415 602 Definitions of terms used in ss. 415 601-	1.27
5	415 608.~~As used in ss. 415.601-415.608, the term:	1 28
6	(3) "Domestic violence" means any <u>act or threatened</u>	1.29
7	act of violence which is committed by a person against arother.	1.30
8	individual to whom such person is or was related by blood or	1
9	marriage or otherwise legally related or with whom such person	1.31
10	is cohabitating assault;-battery;-or-criminal-sexual-conduct	1 31/1
11	by-a-person-against-the-person <sup>1</sup> 3-spouse	
12	(6) "Conabitating" means members of the opposite see	l:lus
13	living in a single dwelling unit as conjugal partners, though	1.31/3
14	not legally married	
15	Section 3. Subsection (2) of section 741.29, Florida	1.31/4
16	Statutes, is amended to read:	1.35
17	741.29 Investigations by law enforcement officers of	1.36
18	incidents of domestic violence; notice to victims of legal	1.38
19	rights and remedies, reporting of incidents	
20	(2) When a law enforcement officer investigates an	1.39
21	allegation that an incident of domestic violence has occurred,	1.40
22	whether or not an arrest is made, the officer shall make a	
23	written police report of the alleged incident. The officer	1 42
24	shall submit the report to his supervisor or other person to	
25	whom the employer's rules or policies require reports of	1.43
26	similar allegations of criminal activity to be made This	l.lus
27	report shall include specific descriptions of any injuries	
28	observable on the victim or defendant, any indicators of	1.45
29	threatening behavior or intoxication on the part of the	
30	abuser, and any alleged or observed use of weapons.	1.4
31		
	2	

CODING: Words stricken are deletions; words <u>underlined</u> are additions.

2

## 215-249C-2-6

1	Section 4. Subsection (1) of section 741.30, Florida	1.47
2	Statutes, is amended to read:	1.48
3	741.30 Action by spouse for injunction for protection	1.50
4	against domestic violence, powers and duties of court and	
5	clerk of court, filing and form of petition for injunction;	1.51
6	notice and hearing; temporary injunction; issuance of	
7	injunction; enforcement	1 52
8	(1) As used in this section, the term:	1.53
9	<pre>fat "Domestic violence" means any act or threatened</pre>	1.55
10	act of violence which is committed by a person against another	
11	individual to whom such person is or was related by blood or	1.56
12	marriage or otherwise legally related or with whom such person	1.57
±3	.s conapitating any-assault;-pattery;-or-sexual-pattery-by-a	1:1cs
14	person-against-the-person's-spoust:	1 59
15	<pre>(b)"Spouse1-means-a-person-to-wnom-arother-person-ts</pre>	1:10s
16	married-or-a-person-to-whom-another-person-hos-beer-married	1 61
17	and-from-whom-such-person-is-now-separated-or-divorced-	1 62
18	Section 5 This act shall take effect October 1, 1986	1.63
19		
20	******	
21	HOUSE SUMMARY	
22	Redefines "domestic violence" to include certain	
23	additional acts or threats and certain victims other than spouses. Defines the term "cohabitating." Provides	
24	remedies and penalties. Requires a police report about domestic violence to include specified particulars.	
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HOUSE COMMITTEE AMENDMENT wir conducers
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            Senate Apr.tr
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 3
            If amendment is text of another bill insert:
            B111 No.
                                          Draft No.
 4
 5
           Representative Martinez offered the following
    amendment:
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 В
           Amendment
 9
           On page...l..., lire.16....,
    strike everyting after the enacting clause
- 0
11
    and insert:
12
13
           Section 1. Section 415.601, Florida Statutes, is
14
    amerded to read:
           415.601 Domestic violence cases; treatment and
15
    rehabilitation of victims and perpetrators; legislative
16
17 intent.--The Legislature recognizes that certain persons who
181
    commit or threaten to commit an assault, battery, or sexual
19
    battery against another individual to whom such person is or
201
    was married or with whom such person is or was cohapitating
    assault,-mattery,-or-otherwise-abuse-their-speuses and the
21
   victims of persons-subject-to such domestic violence are in
22
23
   need of treatment and rehabilitation. It is the intent of the
24 Legislature to assist in the development of domestic violence
25] centers for the victims of domestic violence and to provide a
   place where the parties involved may be separated until they
26
27
   can be properly assisted.
28
           Section 2. Subsection (3) of section 415.602, Florida
29 Statutes, is amended and subsection (6) is added to said
30] section to read:
31
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Orig. Jourpa\_ Third Fourth Code: m0456/cg01 Date: Time: HOUSE COMMITTEE AMENDMENT ... toroiter

B.... 25 mB +Fe \_\_\_\_

1 415.602 Definitions of terms used in ss. 415.601-415 618.--As uzed in ss. 415.611-415.615, the term 3 (3) "Domestic violence" means any act or threatened act of assault, pattery, or sexual batter, by a person against 1 another individual to whom such person is or was married or 5 with whom such person is or was cohapitating. assault; 6 battery;-of-dftminai-sexuai-conduct-by-a-person-against-the 7 3 | person's-spouse. 9 (6) "Cohabitating" means members of the opposite sex living in a single dwelling unit as conjugal partners, though 101 not lecally married. 11 Section 3. Subsection (2) of section 741.29, Florida 12 13 Statutes, is amended to read: 14 741.29 Investigations by law enforcement officers of incidents of domestic violence; notice to victims of legal 15 16 rights and remedies; reporting of incidents.--• • 3 (2) When a law enforcement officer investigates an 15) allegation that an incident of domestic violence has occurred 19 whether or not an arrest is made, the officer shall make a 20 written police report of the alleged incident. The officer 21 shall submit the report to his supervisor or other person to whom the employer's rules or policies require reports of 22 23 similar allegations of criminal activity to be made. This recort should include specific descriptions of any injuries 24 observable on the victim or defendant, any indicators of 25 261 threatening penavior or intoxication on the part of the abuser, and any alleged or observed use of weapons. 27 Section 4. Subsection (1) of section 741.30, Florida 28 Statutes, is amended to read: 29 741.30 Action by spolse for injunction for protection 30 31 against domestic violence; powers and duties of court and

Crig, Journel Third Fourth Code: r0456.cj01 Date 7.me:

3.... Nd. <u>∹8\_+r⊴</u>\_\_\_\_

i clerk of court, filing and form of petition for infunction; 2] notice and hearing; temporary injunction, issuance of 3 injunction; enforcement. --4 (1) As used in this section, the term: 5 ta) "Domestic violence" means any act or threatened act of assault. Dattery, or sexual Dattery by a person against б another individual to whom such person is or was married or 7 with whom such person is or was cohapitating. APV-assault; 81 9 battery;-or-sexual-battery-py-a-person-against-the-person's 10 spouse. 11 (b) "'Cohapitating" means members of the opposite ser 22 living in a single dwelling unit as conjugal partners, though 13 not legally married. Spouse "-means-a-person-to-whom-another 14 person-is-married-or-a-person-to-whom-another-person-has-been 15 married-and-from-whom-such-person-is-now-separated-or 16 devorced-Section 5. Subsection (2) of section 741.30, Florida 17 18 Statutes is amended to read: (2) There is created a cause of action for an 19 20 injunction for protection in cases of comestic violence. (a) Any person sponse who is the victim of any act of 21 22 domestic violence has standing in the circuit court to file a sworn petition for an injunction for protection against 23 211 domestic violence. Section 6. (4)(a) The sworn petition shall allege the 25 existence of such domestic violence and shall include the 25 27 specific facts and circumstances upon the basis of which relief is sought. 28 29 (b) The sworn petition may be in substantially the 30 following form: PETITION FOR 31 Orig.

Journal Third Fourth Code: h0456 cgll Date: Time:

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8.... 11. 48 .82

1 INJUNCTION FOR PROTECTION AGAINST DOMESTIC MIDLENCE 21 3 4 Before me, the undersigned authority, personally appeared Petitioner ... (Name)..., who has been sworn and says that the 5 following statements are true: 61 (a) Petitioner resides at: ...(address)... (b) Respondent resides at: ... address)... 8 9 (c) Peritioner is married or was married to the respondent, or the petitioner is conabitating or was 10 conabitating with the respondent. 11 (d) Petitioner has suffered domestic Willence because 12 131 respondent has:..... 11 (e) Petitioner alleges the foliowing additional [5] specific facts: (mark appropriate sections) .... Petitioner is the custodian of a minor child or 161 17 children whose names and ages are as follows:.... 281 .... Petitioner needs the exclusive use and possession 19 of the dwelling that the parties snare. .... Petitioner is unable to obtain safe alternative 20 21 housing because: ..... www. Petitioner genuinely fears that respondent .ill 22 abuse, remove, or mide the minor child or children from 231 241 petitioner because:.... (f) Petitioner genuinely fears domestic violence by 25 26 respondent. (g) Petitioner seeks: (mark appropriate se tion or 27 28 sections) 29 An immediate injunction restraining the respondent 30 from committing any acts of domestic violence. 31

Orig. Code: n0456/cg0u Journal Date: Third Time: Fourth

# HOUSE COMMITTEE AMENDMENT IN DOTPLOET

8... \*3 <u>H8 +50</u>

2	An injunction restraining the respondent from
2	commuting and atts at domestic kiclence.
3	An injunction awarding to the petitioner the
4	temporary exclusive use and possession of the dwelling that
5	the parties share or excluding the respondent from the
б	
-	An injunction awarding temporary custody of, or
8	temporary visitation rights with regard to, the minor child or
9	children of parties An injunction establishing
10	temporary support for the timor child or children or the
:1	petitioner. News An injunction directing the respondent to
22	participate in freatment or counseling services An
13	injunction providing any terms the court deems recoessary for
14	the protection of a victim of domestic viblence, including any
15	injunctions or directives to law enforcement agencies.
16	Section 7. This act shall take effect Octoper 1, 1956.
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           If amendment is text of another bill insert:
           Bill No.
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           The Committee on Criminal Justice offered the following
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    title amendment:
 7
           Amendment
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    strike requiring
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   and insert: specifying
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Crig. Journal Third Fourth

N 6

1

Code: m1456 cj02 Date: Time: Florida House of Representatives - 1986

By Committee on Criminal Justice and Representative Gordon

	1	A bill to be entitled
	2	An act relating to domestic violence; amending
	3	s. 415.601, F.S.; providing legislative intent;
	4	amending s. 415.602 and s. 741.30, F.S.;
	5	redefining "domestic violence" by changing the
	6	definition of what constitutes such violence
	7	and who constitutes a victim of such violence;
	8	defining the term "cohabitating"; conforming
a c	9	provisions relating to actions for protection
of 1.5 cents per the information	10	against domestic violence; amending s. 741.29,
1.5 o	11	F.S.; specifying that certain particulars be in
5 S	12	a police report of an alleged incident of
an average cost he Rules and for d the public.	13	domestic violence; providing an effective date.
erage c es and public.	14	
the st	15	Be It Enacted by the Legislature of the State of Florida:
t the	16	
was produced at an av mpliance with the Rul Legislature and the	17	Section 1. Section 415.601, Florida Statutes, is
s pro	18	amended to read:
his publication was produced at an average cost single page in compliance with the Rulas and for or members of the Legislature and the public.	19	415.601 Domestic violence cases; treatment and
e in of	20	rehabilitation of victims and perpetrators; legislative
s public Members	21	intentThe Legislature recognizes that certain persons who
stagle of mer	22	<u>Commit or threaten to commit an assault, battery, or sexual</u>
	23	battery against another individual to whom such person is or
	24	was married or with whom such person is or was cohabitating
	25	#ssault;-batter;-or-otherwise-abuse-their-spouses and the
	26	victims of persons-subject-to such domestic violence are in
	27	need of treatment and rehabilitation. It is the intent of the
	28	Legislature to assist in the development of domestic violence
	29	centers for the victims of domestic violence and to provide a
	30	place where the parties involved may be separated until they
	31	can be properly assisted.

CODING Words in anoth through type are deletions from existing law, words <u>underlined</u> are additions

1	Section 2. Subsection (3) of section 415.602, Florida	11.28
2	Statutes, is amended and subsection (6) is added to said	1.29
3	section to read:	
4	415.602 Definitions of terms used in ss. 415.601-	1.30
5	415.608As used in ss. 415.601-415.608, the term:	1.31
6	(3) "Domestic violence" means any <u>act or threatened</u>	1.32
7	act of assault, battery, or sexual battery by a person against	1.33
6	another individual to whom such person is or was married or	
9	with whom such person is or was cohabitating essenter-bettery;	1:105
10	or-criminal-sexual-conduct-by-s-person-against-the-person's	1.37
11	spouse.	
12	(6) "Cohabitating" means members of the opposite sex	l:lus
13	living in a single dwelling unit as conjugal partners, though	1.39
14	not legally married.	
15	Section 3. Subsection (2) of section 741.29, Florida	1.40
16	Statutes, is amended to read:	1.41
17	741.29 Investigations by law enforcement officers of	1.42
18	incidents of domestic violence; notice to victims of legal	1.44
19	rights and remedies; reporting of incidents	
20	(2) When a law enforcement officer investigates an	1.45
21	allegation that an incident of domestic violence has occurred,	1.46
22	whether or not an arrest is made, the officer shall make a	
23	written police report of the alleged incident. The officer	1.48
24	shall submit the report to his supervisor or other person to	
25	whom the employer's rules or policies require reports of	1.49
26	similar allegations of criminal activity to be made. This	l:lus
27	report shall include specific descriptions of any injuries	
28	observable on the victim or abuser, any indicators of	1.51
29	threatening behavior or intoxication on the part of the	
30	abuser, and any alleged or observed use of veapons.	1.52
31		
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1	Section 4. Subsection (1), paragraph (a) of subsection	1.53			
2	(2), and paragraph (b) of subsection (4) of section 741.30,	1.54			
3	Florida Statutes, are amended to read:	1.55			
-4	741.30 Action by-spouse for injunction for protection				
5	against domestic violence; powers and duties of court and				
6	clerk of court; filing and form of petition for injunction;	1.58			
7	notice and hearing; temporary injunction; issuance of				
-	injunction; enforcement	1.59			
9	(1) As used in this section, the term:	1.60			
10	(a) "Domestic violence" means any act or threatened	1.62			
11	act of assault, battery, or sexual battery by a person against				
12	another individual to whom such person is or was married or	1.65			
13	with whom such person is or was cohabitating, any-assembly	1:105			
-14	battery;-or-sexual-battery-by-a-person-against-the-person's	]			
15	spouset	1,67			
16	(b) <u>"Cohabitating" means members of the opposite sex</u>	1.68			
17	living in a single dwelling unit as conjugal partners, though	1.70			
18	not legally married. "Spouse"-means-a-person-to-whom-another	1:105			
19	person-is-married-or-a-person-to-whom-another-person-has-been	1.72			
20	merried-and-from-whom-such-person-is-nov-separated-or				
21	divorced.	1.73			
22	(2) There is created a cause of action for an	1.74			
23	injunction for protection in cases of domestic violence.	1.75			
24	(a) Any <u>person</u> spouse who is the victim of any act of	1.78			
25	domestic violence has standing in the circuit court to file a	1.80			
26	sworn petition for an injunction for protection against	1.81			
27	domestic violence.	8			
28	(4)	1.82			
29	(b) The sworn petition <u>may</u> shall be in substantially	1,82			
30	the following form:	1.83			
31	PETITION FOR	1.84			
	3				

1	INJUNCTION FOR PROTECTION	1.82
2	AGAINST DOMESTIC VIOLENCE	1.82
3		
- 4	Before me, the undersigned authority, personally appeared	1.83
5	Petitioner (Name), who has been sworn and says that the	l:ul
6	following statements are true:	
7	(a) Petitioner resides at:(address)	2.1
8	(b) Respondent resides at:(address)	2.3
9	(c) Petitioner is or was married to the respondent or	2.4
10	is or was cohabitating with the respondent to the spouse or	2.5
11	former-spouse-of-the-Petitioner.	2.6
12	(d) Petitioner has suffered domestic violence because	2.7
13	respondent has:	
14	(e) Petitioner alleges the following additional	2.8
15	<pre>specific facts: (mark appropriate sections)</pre>	2.10
16	Petitioner is the custodian of a minor child or	1 · נגא
17	children whose names and ages are as follows:	
18	Petitioner needs the exclusive use and possession	1:LN
19	of the dwelling that the parties share.	2.14
20	Petitioner is unable to obtain safe alternative	1:60
21	housing because:	
22	Petitioner genuinely fears that respondent will	1:LN
23	abuse, remove, or hide the minor child or children from	2.18
24	petitioner because:	
25	(f) Petitioner genuinely fears domestic violence by	2.20
26	respondent.	
27	(g) Petitioner seeks: (mark appropriate section or	2.23
28	sections)	
29	An immediate injunction restraining the respondent	1:LN
30	from commaitting any acts of domestic violence.	2.25
31		
	4	

4

.... An injunction restraining the respondent from 1:LN 1 2 committing any acts of domestic violence. 2.27 3 .... An injunction awarding to the petitioner the 1;LN 4 temporary exclusive use and possession of the dwelling that 2.28 the parties share or excluding the respondent from the 2.29 5 6 residence of the petitioner. .... An injunction awarding temporary custody of, or 7 2.30 temporary visitation rights with regard to, the minor child or 8 2.31 2.32 children of the parties. 9 10 .... An injunction establishing temporary support for 1:LN 11 the minor child or children or the petitioner. 2.34 12 .... An injunction directing the respondent to 1:LN 2.36 13 participate in treatment or counseling services. 14 .... An injunction providing any terms the court deems 1:LN 15 necessary for the protection of a victim of domestic violence, 2.40 including any injunctions or directives to law enforcement 2.41 16 17 agencies. 18 Section 5. This act shall take effect October 1, 1986. 2.42 19 20 HOUSE SUMMARY 21 Redefines "domestic violence" to change the acts which constitute such violence and to include certain victims 22 other than spouses. Defines the term "cohabitating," Requires a police report about domestic violence to include specified particulars. Conforms provisions relating to actions for protection against domestic violence. 23 24 25 26 27 28 29 30 31 5

House of	Re	pres	ent	tat	ive	5
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SUBCOMMITT	EE REPORT			File with Pare	nt Committee
To CI	hairman, Commit	tee on <u>Cr</u>	iminal Ju	stice	
T	ne Subcommittee	on Crime:	s & Penal	ties	
met at	<u>3:30 p.m.</u> o	'clock on _	April 9	. 19	86,
in Room	314 HOB	, and consi	dered	HB 456	·
On moti	on to report t	he <u>bill /</u>	Z FAVORA	BLE	
the vot	e was:	$\sqrt{\mathbf{x}}$	Z Favora	BLE WITH	AMENDMENTS
YEA	Member	NAY	YEA	Member	NAY
			x	Grant	
			x	Martinez	
			x	Mackenzie	
			x	Burke, Chr.	i Land
		i			
L		Тоти	AL 4	Тота	

Ames Churlic Subcommittee Shariman,

SUBCOMMITTEE APPEARANCE RECORD

The following persons (other than legislators) appeared before the subcommittee during consideration of this bill:

NAME	REPRESENTING	Address
Sue Christensen	Self & Refuse Infor. Netwo	ork Gulf Breeze
Joan Farr	Fla. Network of Victim/	
	Witness Services	Miami Shores
Joanne Snair	PPS	Tallahassee
(If additional perso	ns, enter on reverse side and chee	ck here )
	Received by	Parent Committee
	Date	
H-74	Received by	

STORAGE NAME: 86-0456 CS/HB

Date: Ap	· · · · · · · · · · · · · · · · · · ·	1931	5
Pevised:	April	23,	1986
Final:			

# HOUSE OF REPRESENTATIVES COMMITTEE ON CRIMINAL JUSTICE STAFF ANALYSIS

	/ (	1339
BILL #: <u>CS/HB 456</u>		· • • • •
RELATING TO: Definition of domestic violence		
SPONSOR(S): Gordon		
EFFECTIVE DATE: October 1, 1986		
COMPANION BILL(S): <u>None</u>		
OTHER COMMITTEES OF REFERENCE: (1)		
(2)	a nanti a suati	
	* * * * * * * * * * * * * *	

## I. SUMMARY:

## A. Present Situation:

Chapter 415, Florida Statutes, is entitled "Protection from Abuse, Neglect, and Exploitation". Specifically, ss. 415.601 -415.608 address the issue of domestic violence by vesting the Department of Health and Rehabilitative Services with authority to certify domestic violence centers (to provide support services to victims), to study the "...prevention, care, treatment, and rehabilitation..." of victims and perpetrators, and to join others in a "...concerted effort to prevent domestic violence". Under s. 415.604, HRS is required to file an annual report to the Legislature on the existence of domestic violence in the state and preventive efforts undertaken by the Department in concert with others.

Section 741.29, Florida Statutes, requires law enforcement officers investigating incidents of domestic violence to assist victims in seeking support services from a domestic violence center and to inform victims of certain rights to a domestic violence restraining order. The section also requires investigating officers to complete an incident report, even if an arrest is not made.

Section 741.30 relates to injunctions for protection against domestic violence. "Domestic violence" is defined as "any assault, battery or sexual battery" against a spouse or former spouse. An aggreived spouse or former spouse might obtain the issuance of an injunction against the abusing spouse for any of the following relief:

1. Restraining an abusing party.

1024

Fige 2
 Bill FCS HE 456
 Date: April 4, 1986

- 2. Exclusion from the nome of the abusing party.
- 3. Temporary custody of minor children.
- 4. Temporary child support or alimony.
- 5. Required counseling for the abusing party.

Violations by the abusing party may subject the violator to arrest and enforcement (through contempt proceedings) by the judge who issued the injunction. The Clerk of the court is required to provide simplified forms to a petitioner and assist in the preparation of the necessary documents. If the petitioner is financially unable to pay filing fees or sheriff's fees (for service of process), the fees are waived, subject to a subsequent order of the court for payment.

## B. Effect of Proposed Changes:

The would enlarge the definition for "domestic violence centers" and the availability of domestic violence restraining orders to persons who are or were living together. In this category, persons living together would include only non-married couples (of the opposite sex) acting as "conjugal partners". Under current law, only a spouse or ex-spouse has standing to petition the court for relief or to seek support services from a "domestic violence center".

The bill would also remove the requirement that the petitioner actually suffer an act of violence (now defined as an assault, battery or sexual battery) before she could obtain a restraining order. Under the bill, if a potential respondent has "threatened" to commit an act of domestic violence, then the victim may petition the court without having to actually suffer the act itself.

Finally, incident reports made by law enforcement officers in response to domestic disturbance calls would include information on injuries, intoxication of an abuser or the presence of any weapons.

## II. ECONOMIC IMPACT:

# A. <u>Public:</u>

Domestic violence centers around the state are partially funded by the Department of Health and Renabilitative Services. While these support facilities, under current law, are authorized to provide (with the Department of Health and Rehabilitative Services money) assistance to victims (a spouse or ex-spouse), additional victims under the broadened definition of "domestic violence" would be eligible for help. However, some centers contacted already provide some non-marital victims with shelter and assistance and statewide, a waiting list of 9,000 victims has been reported. 5age 3 Bill ≠CS/HB 456 Date: April 4, 1986

B. <u>Government:</u>

None

# III. STATE COMPREHENSIVE PLAN IMPACT:

The bill complies with paragraphs 10 and 11 of section 3 dealing with Families in that "family violence" prevention is addressed. In addition, paragraph 11 of the Public Safety section calls for the "...protection of individual personal safety..." through preventive measures.

IV. COMMENTS:

None

- V. AMENDMENTS:
- VI. STAFF DIRECTOR:

Thomas Wright J

1987 Srssian Documents

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# FLORIDA LEGISLATURE—REGULAR SESSION—1987 HISTORY OF SENATE BILLS

		motont or o	LIL
S 992 (CONTI	VUED)		8 9
		anted Committee Economic, Commu-	
	nity and Consumer	Affairs	
05/21/87 SEI	NATE Extension of time gr nity and Consumer	anted Committee Economic, Commu-	(
06/06/87 SEI		on Economic, Community and Con-	(
S 993 GENEI	AL BILL/CS by Education	ion; Weinstein (Similar H 896)	(
Student Fees, ondary fees, a	Exemptions, exempts certain authorizes district school boo	n students from payment of postsec- ards to establish scholarship funds &	(
07/01/87	is for sward of scholarship	a Amends 230 645 Effective Date	(
04/13/87 SEI	NATE Filed		
05/01/87 SEI	NATE Extension of time gr	to Education, Appropriations –SJ 153 anted Committee Education ada—Education, 05/12/87, 200 pm,	S 9
05/12/87 SEI	NATE Comm Report: CS h	v Education -SJ 325	i
05/14/87 SEI 05/21/87 SEI	NATE CS read first time -S NATE Extension of time gr	J 330; Now in Appropriations -SJ 325 anted Committee Appropriations	(
	NATE Died in Committee		(
S 994 GENE		y Judiciary-Civil; Weinstein	
		des cause of action for injunctive relief	(
		ized, redefines "domestic violence" by	(
		tim of such violence, conforms provi-	
sions re action tive Date: 10/		testic violence Amends 741 30 Effec-	
04/13/87 SEI			
	NATE Introduced, referred	to Judiciary-Civil -SJ 153	
		nda-Judiciary-Civil, 05/04/87, 200	
		anted Committee Judiciary-Civil	
05/12/87 SE		nda—Judiciary-Civil, 05/12/87, 200 80, Comm Report CS by Judicia-	S 9
05/19/87 SEI	NATE CS read first time -		1
06/03/87 SEI	NATE Placed on Consent C ed, YEAS 33 NAYS	alendar -SJ 628, CS passed as amend-	
06/03/87 HO 06/04/87 HO		Colondar, UT 125 Dead accords	Ċ
06/04/87		Calendar -HJ 1135, Read second time, passed, YEAS 114 NAYS 0 -HJ 1136 J 722	(
06/29/87		nd presented to Governor	
07/14/87	Approved by Govern	or, Chapter No 87-395	Ì
	AL BILL by Hill (Simila		<b>S</b> 1
		nhanced penalties for assault or bat-	51
		Dept., provides penalties for resisting mends 784 07, 843 01 Effective Date	
10/01/87.			
04/13/87 SEI 04/23/87 SEI	NATE Introduced, referred	to Judiciary-Criminal, Appropria-	(
05/04/87 SEI	tions -SJ 153 NATE On Committee ages 200 pm, Room-C	nda—Judiciary-Criminal, 05/06/87,	(
05/06/87 SEI	NATE Comm Report. Favo	rable by Judiciary-Criminal -SJ 271	
05/07/87 SEI	NATE Now in Appropriation	ons –SJ 271	0,
		anted Committee Appropriations	<b>S</b> 1
	NATE Died in Committee of		,
Prisoners/Tra		procedures for temporarily transfer-	1
		tions Dept. to sheriff in specified cu- of such prisoner by court or sheriff, re-	(
		an documents Amends 944 17 Effec-	(
tive Date Up	on becoming law		,
04/13/87 SEI		to Comparison Deal true and D	(
	-SJ 154	to Corrections, Probation and Parole	(
05/01/87 SEI	NATE Extension of time gr	anted Committee Corrections, Proba-	

- 05/01/87 SENATE Extension of time granted Committee Corrections, Probation and Parole
- 05/04/87 SENATE On Committee agenda—Corrections, Probation and Parole, 05/06/87, 2:00 pm, Room-B
- 05/06/87 SENATE Comm Report. Favorable by Corrections, Probation and Parole, placed on Calendar -SJ 272
- 06/06/87 SENATE Died on Calendar, Iden./Sim /Compare Bill passed, refer to CS/HB 992 (Ch 87-211)
- S 997 GENERAL BILL by Hill (Compare CS/ENG/H 992, H 1360, CS/S 1088)

Prisonera/Public Works Projects, provides that persons convicted of certain sex offenses are ineligible to participate in public works projects. Amends 946 40 Effective Date: 10/01/87 10/13/87 SENATE Filed

(PAGE NUMBERS REFLECT DAIL) SENATE AND HOUSE JOURNALS AND NOT FINAL BOUND FOURNALS)

- S 997 (CONTINUED)
  - 04/23/87 SENATE Introduced, referred to Corrections, Probation and Parole -SJ 154 05/01/87 SENATE Extension of time granted Committee Corrections, Probation and Parole 05/04/87 SENATE On Committee agenda—Corrections, Probation and Pa-
  - role, 05/06/87, 2 00 pm, Room-B-Temporarily postponed 05/15/87 SENATE Extension of time granted Committee Corrections, Probation and Parole 05/28/87 SENATE Extension of time granted Committee Corrections, Proba-
  - tion and Parole 06/06/87 SENATE Died in Committee on Corrections, Probation and Parole
    - (06/87 SENATE Died in Committee on Corrections, Probation and Parole, Iden /Sim /Compare bill passed, refer to CS/HB 992 (Ch 87-211)

### S 998 GENERAL BILL by Hill (Similar H 1356)

Prisoners/Employee Benefit T.F., provides sources of funda & uses of Employee Benefit Trust Fund Amends 945 215 Effective Date 07/01/87 or upon becoming law, whichever occurs later 04/13/87 SENATE Filed

- 04/23/87 SENATE Introduced, referred to Corrections, Probation and Parole, Appropriations -SJ 154 05/01/87 SENATE Extension of time granted Committee Corrections, Probation and Parole
- 05/07/87 SENATE On Committee agenda-Corrections, Probation and Parole, 05/11/87, 900 am, Room-B
- 05/11/87 SENATE Comm Report Favorable with 2 amendment(s) by Corrections, Probation and Parole -SJ 271, Now in Appropriations -SJ 271
- 05/21/87 SENATE Extension of time granted Committee Appropriations
- 06/05/87 SENATE Withdrawn from Appropriations -SJ 787, Placed on Special Order Calendar -SJ 863, Amendments failed, Iden / Sim House Bill substituted, Laid on Table under Rule, Iden /Sim /Compare Bill passed, refer to HB 1356 (Ch 87-233) -SJ 879

S 999 GENERAL BILL by Woodson (Identical H 1149, Similar H 901) <u>Mobile Home Inspection</u>, provides for deposit of certain inspection fees, provides for establishment & use of mobile home & recreational vehicle inspection fees by H S M V Dept. Amends 215 22, 320 8255, 8256 Effective Date 07/01/87 or upon becoming law, whichever occurs later 04/13/87 SENATE Filed 04/23/87 SENATE Introduced, referred to Transportation; Finance, Taxation and Claims, Appropriationa -SJ 154

- 05/01/87 SENATE Extension of time granted Committee Transportation
- 05/15/87 SENATE Extension of time granted Committee Transportation 05/28/87 SENATE Extension of time granted Committee Transportation
- 06/06/87 SENATE Died in Committee on Transportation

### 1000 GENERAL BILL by Hill and others (Identical H 437) <u>Horseracing</u>, provides legislative intent, revises allocation of horseracing periods of operation, revises formula re tax on handle for thoroughbred horse racing, revises language re summer thoroughbred horse racing season Amends 560 081, 09, 41 Effective Date Upon becoming law 04/13/87 SENATE Filed 04/23/87 SENATE Introduced, referred to Commerce, Finance, Taxation and Clampa -SJ 154 05/08/87 SENATE Extension of time granted Committee Commerce 05/25/87 SENATE Extension of time granted Committee Commerce

06/06/87 SENATE Died in Committee on Commerce

### S 1001 JOINT RESOLUTION by Woodson

Homestead Tax Exemption: constitutional amendment to tax first \$10,000 of assessed value of homestead property & exempt the next \$25,000 of assessed value Amends s. 6, Art. VII 04/13/87 SENATE Filed 04/23/87 SENATE Introduced, referred to Finance, Taxation and Claims,

- 04/23/87 SENATE Introduced, referred to Finance, Taxation and Claims, Rules and Calendar -SJ 154
  05/04/87 SENATE Extension of time granted Committee Finance, Taxation and Claims
  05/11/87 SENATE On Committee agenda—Finance, Taxation and Claims, 05/13/87 SENATE Comm Report Favorable by Finance, Taxation and Claims -SJ 324
  05/14/87 SENATE Now in Rules and Calendar -SJ 324
  05/15/87 SENATE Extension of time granted Committee Rules and Calendar 05/06/87 SENATE Died in Committee on Rules and Calendar 06/06/87 SENATE Died in Committee on Rules and Calendar
- S 1002 GENERAL BILL by Hollingsworth and others (Similar ENG/H 1111)

<u>Cable TV/R or X-Rated Movies</u>, prohibits owners or operators of cable television systems from sending, transmitting, or retransmitting by cable television system R-rated or X-rated movies or unrated sexually explicit programming during a promotional "free weekend" or other advertising period Effective Date 10/01.87 04/13/87 SENATE Filed

04/23/87 SENATE Introduced, referred to Economic, Community and Consumer Affairs -5J 154

# FLORIDA LEGISLATURE-REGULAR SESSION-1987 HISTORY OF HOUSE BILLS

			HISTORY OF	Η
н	543 (CO)	NTINUED)		F
	05/05/87		On Committee agenda—Finance & Taxation, 05/07/87, 1 30 pm, 21 HOB, for ratification of subreferrai	•
	06/06/87	HOUSE	Died in Committee on Finance & Taxation	
H	H 64, H Sales Tau human co	107, H 79-	DLUTION by Kelly (Similar S 919, Compare H 30, 4, H 1101, S 10, S 17, S 262, CS/ENG/S 777, S 1101) <u>AL</u> constitutional amendment to exempt food & drink for medicine, health care services & attorney's services, as de- ules tax Creates a 17, Art. VII	
		HOUSE		
	03/25/87		Referred to Judiciary; Finance & Taxation, Appropriations	
	04/07/87	HOUSE	Introduced, referred to Judiciary, Finance & Taxation; Appropriations -HJ 51	
	04/28/87	HOUSE	Subreferred to Subcommittee on Court Systems, Probate and Consumer Law; On Committee agenda—Judiciary, 04/30/87, 500 am, 214C, for ratification of subreferral	
(	06/06/87		Died in Committee on Judiciary, Iden/Sim/Compare bill passed, refer to CS/SB 777 (Ch. 87-6)	
<u> </u>	(Similar	CS/ENG/		
			ohabitant Victim; provides a cause of action for injunctive	
			ember or cohabitant who is being victimized; redefines "do- hanging definition of who constitutes a victim of such vio-	
		•	nations re actions for protection against domestic violence	
	Amends	741 30 Effe	ctive Date 10/01/87	
	03/17/87		Prefiled	
	03/25/87	HOUSE	Referred to Criminal Justice Subreferred to Subcommittee on Human Resources	
	04/07/87		Introduced, referred to Criminal Justice HJ 51: Subrefer-	
	04/10/87	HOUSE	red to Subcommittee on Human Resources On subcommittee agenda—Criminal Justice, 04/14/87, 9:00	
	04/17/87	HOUSE	am, 217 HOB On Committee agenda—Criminal Justice, 04/21/87, 3 30	Ĩ
	<b>04/23/8</b> 7	HOUSE	pm, Morris Hall—No action On Committee agenda—Criminal Justice, 04/27/87, 1:15	
	04/27/87	HOUSE	pm, Morris Hall Preliminary Committee Action by Criminal Justice: Favor- able, as a Committee Substitute, to Calendar	
	<b>05/01/8</b> 7	HOUSE	Comm Report. CS by Criminal Justice, placed on Calendar -HJ 330, CS read first time -HJ 328	
	06/01/87 06/02/87		Placed on Special Order Calendar Read second time; Read third time; CS passed, YEAS 76 NAYS 33 -HJ 964	
	06/02/87	SENATE	In Messages	
	06/03/87	SENATE	Received, referred to Judiciary-Civil -SJ 629	
	06/06/87	SENATE	Died in Committee on Judiciary-Civil, Iden /Sim / Compare bill passed, refer to CS/SB 994 (Ch 87-395)	
н	Justice of	Judge Sev	DLUTION by Cosgrove (Identical S 1214) enty Years Old, constitutional amendment to eliminate pro-	
		nenda s. 8, /	ice by justice of judge who has attained the age of seventy - Art. V	
	03/17/87		Prefiled	
	03/25/87	HOUSE	Referred to Judiciary	
	04/07/87	HOUSE	Introduced, referred to Judiciary -HJ 51 Subreferred to Subcommittee on Court Systems, Probate	
	04/21/0/	HUUSE	and Consumer Law; On Committee agenda-Judiciary,	
	06/06/87	HOUSE	04/23/87, 10.00 am, 214C; for ratification of subreferral Died in Committee on Judiciary	
Н		NERAL E CS/S 925	ILL by Metcalf; Gordon (Similar H 1097, Compare )	
			valid License, deletes reference which specifies noncriminal	
			r offense of driving without valid driver's license Amends	
		HOUSE	te: Upon becoming law Prefiled	
	03/25/87		Referred to Transportation, Appropriations	
		HOUSE	Introduced, referred to Transportation, Appropriations -HJ 51	
	04/10/87	HOUSE	On Committee agenda—Transportation, 04/14/87, 8 30 am, 214C, for subreferral	
	04/14/87		Subreferred to Subcommittee on Highway Safety and Mo- tor Vehicles	1
		HOUSE	Died in Committee on Transportation	
н	(Similar	CS/ENG	BILL/CS by Regulatory Reform; Lawson; Burnsed S 413) G/Regulations, provides for testing & approval of sparklers.	
	provides requires (	for registra that sparkle	tion of sparkler manufacturers, distributors & wholesalers, rs for sale to public be obtained only from registered manu-	
	facturers	distributor	s & wholesalers; requires certain evidence of such purchases,	

facturers, distributors & wholesalers; requires certain evidence of such purchases, provides for exhibition of certain registration certificates, provides for enforcement, etc. Amenda 791 01, 02, 04, creates 791 013, 015 Appropriation \$82,567 Effective Date 07/15/87 or upon becoming law, whichever occurs later 03/17 87 HOUSE Prefiled

PAGE NUMBERS REFLECT DAILY SENATE AND HOUSE JOURNALS AND NOT FINAL BOUND JOURNALS)

## H

H		NTINUED	
	03/25/87	HOUSE	Referred to Regulatory Reform, Finance & Taxation, Ap-
	0.1100.000		propriations
	04/03/87	HOUSE	Subreferred to Subcommittee on Technical and Consumer
	04/07/07	HOUGE	Resources Introduced, referred to Regulatory Reform, Finance &
	04/07/87	HUUSE	Taxation, Appropriations -HJ 51, Subreferred to Subcom-
			mittee on Technical and Consumer Resources, On subcom-
			mittee agenda-Regulatory Reform, 04/08/87, 8.00 am, 317 HOB-Temporarily passed, On Committee agenda, pend-
			ing subcommittee action—Regulatory Reform, 04/09/87, 10:00 am, Mörris Hall—Not taken up
	04/24/87	HOUSE	On subcommittee agenda—Regulatory Reform, 04/28/87,
	V4/24/01	HOUSE	1 15 pm, 217 HOB
	04/28/87	HOUSE	Subcommittee Recommendation pending ratification by
	04/20/01	mood	full Committee Favorable, with 2 amendments; On Com-
			mittee agenda-Regulatory Reform, 04/30/87, 5:00 am,
			Morris Hall
	04/30/87	HOUSE	Preliminary Committee Action by Regulatory Reform Fa-
	04/00/01	meeon	vorable, as a Committee Substitute
	05/05/87	HOUSE	Withdrawn from-Finance & Taxation -HJ 360
	05/08/87		Comm Report CS by Regulatory Reform -HJ 400; CS
	00/00/01	MOOD	read first time -HJ 399; Now in Appropriations -HJ 400
	05/18/87	HOUSE	Subreferred to Subcommittee on General Government
	05/28/87		On Committee agenda—Appropriations, 05/28/87, 3 30
	00, 20, 01		pm, 21 HOB, Preliminary Committee Action by Appropri-
			ations Favorable, with 2 amendments, to Calendar
	06/01/87	HOUSE	Comm Report: Favorable with 2 amendment(s) by Appro-
	00/01/01		priationa, placed on Calendar -HJ 920
	06/02/87	HOUSE	Placed on Special Order Calendar, Read second time,
			Iden /Sim Senate Bill substituted, Laid on Table under
			Rule, Iden /Sim /Compare Bill passed, refer to CS/SB 413
			(Ch 87-118) -HJ 1013
н			BILL/ENG by Metcalf and others (Identical
			lar CS/H 148, S 726, Compare ENG/H 1222,
	ENG/S		
			oms, provides for persons allowed in polling rooms, allows
			k each candidate to have one watcher in each polling room
			g an election, adds polling room, where polling place is shop-
	DUD# cent	er or mall f	a requirements for solicitation of voters pear polling places
			o requirements for solicitation of voters near polling places,
	modifies	certain resti	nctions for soliciting near polling places, etc. Amends 97 021,
	modifies 101 121, 1	certain reet. 131, 102 031	
	modifies 101 121, 1 03/17/87	certain reet 131, 102 031 HOUSE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/58.
	modifies 101 121, 1 03/17/87 03/25/87	certain reet. 131, 102 031	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled
	modifies 101 121, 1 03/17/87 03/25/87 04/07/87	Cortain reet 131, 102 031 HOUSE HOUSE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections
	modifies 101 121, 1 03/17/87 03/25/87 04/07/87	certain resti 131, 102 031 HOUSE HOUSE HOUSE	nctions for soluciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52
	modifies 101 121, 1 03/17/87 03/25/87 04/07/87	certain resti 131, 102 031 HOUSE HOUSE HOUSE	nctions for soluciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom-
	modifies 101 121, 1 03/17/87 03/25/87 04/07/87 04/17/87	certain resti 131, 102 031 HOUSE HOUSE HOUSE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212
	modifies 101 121, 1 03/17/87 03/25/87 04/07/87 04/17/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB
	modifies 101 121, 1 03/17/87 03/25/87 04/07/87 04/17/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by
	modifies 101 121, i 03/17/87 03/25/87 04/07/87 04/17/87 04/21/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics
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	modifies 101 121, i 03/17/87 03/25/87 04/07/87 04/07/87 04/21/87	certain rest. 131, 102 031 HOUSE HOUSE HOUSE HOUSE HOUSE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections Fa- vorable, to Calendar Comm Report. Favorable by Ethics & Elections, placed on
	modifies 101 121, 1 03/17/87 03/25/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections Fa- vorable, to Calendar Comm Report. Favorable by Ethics & Elections, placed on Calendar -HJ 279
	modifies 101 121, 1 03/17/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/27/87 04/27/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36. Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections Fa- vorable, to Calendar Comm Report. Favorable by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar
	modifies 101 121, : 03/17/87 04/07/87 04/07/87 04/21/87 04/23/87 04/23/87 04/27/87 04/27/87 04/27/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections Fa- vorable, to Calendar Comm Report, Favorable by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendmenta adopted -HJ 357
	modifies 101 121, : 03/17/87 04/07/87 04/07/87 04/21/87 04/23/87 04/23/87 04/27/87 04/27/87 04/27/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE	nctions for soluciting near polling places, etc. Amenda 97 021, , repeals 104.36. Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1.15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, Fa- vorable, to Calendar Comm Report. Favorable by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted, Passed as amended,
	modifies 101 121, 1 03/17/87 03/25/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/27/87 04/29/87 05/05/87 05/06/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE	nctions for soluciting near polling places, etc. Amenda 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, Placed on Comm Report. Favorable by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read there time, Amendmenta adopted -HJ 357 Read thurd time, Amendmenta adopted, Passed as amended, YEAS 110 NAYS 0 -HJ 370
	modifies 101 121, 1 03/17/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/27/87 04/27/87 04/29/87 05/05/87 05/06/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, Placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendmenta adopted -HJ 357 Read third time, Amendment adopted, Passed as amended, YEAS 110 NAYS 0 -HJ 370 In Messages
	modifies 101 121, 1 03/17/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/23/87 04/27/87 04/29/87 05/05/87 05/06/87 05/07/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendments adopted -HJ 357 Read third time, Amendment adopted, Passed as amended, VEAS 110 NAYS 0 -HJ 370 In Messages Received, referred to Judiciary-Civil -SJ 333
	modifies 101 121, 1 03/17/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/23/87 04/27/87 04/29/87 05/05/87 05/06/87 05/07/87 05/19/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subjeferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendments adopted -HJ 357 Read third time, Amendment adopted, Passed as amended, YEAS 110 NAYS 0 -HJ 370 In Messages Received, referred to Judiciary-Civil -SJ 333 On Committee agenda—Judiciary-Civil, 05/26/87, 9 00
	modifies 101 121, 1 03/17/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/29/87 05/05/87 05/05/87 05/07/87 05/07/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE SENATE	nctions for soluciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, Fa- vorable, to Calendar Comm Report. Favorable by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendments adopted -HJ 357 Read third time, Amendments adopted -HJ 357 In Messages Received, referred to Judiciary-Civil -SJ 333 On Committee agenda—Judiciary-Civil, 05/26/87, 9 00 am, Room-B -SJ 414
	modifies 101 121, 1 03/17/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/29/87 05/05/87 05/05/87 05/07/87 05/07/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE SENATE	nctions for soliciting near polling places, etc. Amenda 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, Placed on Calendar -HJ 279 Placed on Special Order Calendar Read time time, Amendmenta adopted -HJ 357 Read time time, Amendmenta adopted -HJ 357 Read time time, Amendmenta adopted, Passed as amended, YEAS 110 NAYS 0 -HJ 370 In Messages Received, referred to Judiciary-Civil -SJ 333 On Committee agenda—Judiciary-Civil, 05/26/87, 9 00 am, Room-B ~SJ 414 Comm Report Favorable by Judiciary-Civil, placed on
	modifies 101 121, 1 03/17/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/23/87 04/27/87 04/29/87 05/05/87 05/05/87 05/05/87 05/25/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE SENATE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted, Passed as amended, YEAS 110 NAYS 0 -HJ 370 In Messages Received, referred to Judiciary-Civil -SJ 333 On Committee agenda—Judiciary-Civil, 05/26/87, 9 00 am, Room-B -SJ 414 Comm Report Favorable by Judiciary-Civil, placed on Calendar -SJ 417
	modifies 101 121, 1 03/17/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/23/87 04/27/87 04/29/87 05/05/87 05/05/87 05/05/87 05/25/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE SENATE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, placed on Comm Report, Favorable by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted, Passed as amended, VEAS 110 NAYS 0 -HJ 370 In Messages Received, referred to Judiciary-Civil -SJ 333 On Committee agenda—Judiciary-Civil, 05/26/87, 9 00 am, Room-B -SJ 414 Comm Report Favorable by Judiciary-Civil, placed on Calendar -SJ 417 Placed on Special Order Calendar -SJ 571, Passed;
	modifies 101 121, 1 03/17/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/29/87 05/05/87 05/05/87 05/05/87 05/25/87 05/25/87 05/26/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE SENATE	nctions for soluciting near polling places, etc. Amenda 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, Fa- vorable; to Calendar Comm Report. Favorable by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted -HJ 357 Received, referred to Judiciary-Civil -SJ 333 On Committee agenda—Judiciary-Civil, 05/26/87, 9 00 am, Room-B -SJ 414 Comm Report Favorable by Judiciary-Civil, placed on Calendar -SJ 417 Placed on Special Order Calendar -SJ 571, Passed; YEAS 32 NAYS 0 -SJ 615
	modifies 101 121, 1 03/17/87 04/07/87 04/07/87 04/17/87 04/23/87 04/23/87 04/23/87 04/23/87 04/29/87 05/05/87 05/05/87 05/05/87 05/25/87 05/25/87 06/02/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE SENATE	nctions for soluciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, Placed on Calendar -HJ 279 Placed on Special Order Calendar Read third time, Amendments adopted -HJ 357 Read third time, Amendments adopted -HJ 357 Read third time, Amendments adopted -HJ 357 In Messages Received, referred to Judiciary-Civil -SJ 333 On Committee agenda—Judiciary-Civil, 05/26/87, 9 00 am, Room-B -SJ 414 Comm Report Favorable by Judiciary-Civil, placed on Calendar -SJ 417 Placed on Special Order Calendar -SJ 571, Passed; YEAS 32 NAYS 0 -JJ 615 Ordered enrolled
	modifies 101 121, 1 03/17/87 03/25/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/23/87 04/23/87 04/23/87 04/23/87 05/05/87 05/05/87 05/05/87 05/26/87 05/26/87 06/02/87	HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE SENATE	nctions for soliciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted JJ 333 On Committee agenda—Judiciary-Civil -SJ 333 On Committee agenda—Judiciary-Civil, 05/26/87, 9 00 am, Room-B -SJ 414 Comm Report Favorable by Judiciary-Civil, placed on Calendar -SJ 417 Placed on Special Order Calendar -SJ 571, Passed; YEAS 32 NAYS 0 -SJ 615 Ordered enrolled Signed by Officers and presented to Governor
	modifies 101 121, 1 03/17/87 04/07/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/27/87 04/29/87 05/05/87 05/05/87 05/05/87 05/25/87 05/25/87 06/02/87 06/02/87 06/02/87	Cortain real; 131, 102 031 HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE SENATE SENATE	nctions for soluciting near polling places, etc. Amenda 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted -HJ 357 Read second time, Amendmenta adopted -HJ 357 Read second time, Amendmenta dopted, Passed as amended, VEAS 110 NAYS 0 -HJ 370 In Messages Received, referred to Judiciary-Civil -SJ 333 On Committee agenda—Judiciary-Civil, 05/26/87, 9 00 am, Room-B -SJ 414 Comm Report Favorable by Judiciary-Civil, placed on Calendar -SJ 417 Placed on Special Order Calendar -SJ 571, Passed; YEAS 32 NAYS 0 -SJ 615 Ordered enrolled Signed by Officers and presented to Governor Approved by Governor, Chapter No 87-184
н	modifies 101 121, 1 03/25/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/23/87 04/23/87 04/23/87 04/23/87 04/23/87 05/05/87 05/05/87 05/05/87 05/26/87 05/26/87 06/02/87 06/02/87 06/02/87 06/02/87 06/30/87	Cortain rest. 131, 102 031 HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE SENATE SENATE SENATE	nctions for soluciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted, Passed as amended, VEAS 110 NAYS 0 -HJ 370 In Messages Received, referred to Judiciary-Civil -SJ 333 On Committee agenda—Judiciary-Civil, 05/26/87, 9 00 am, Room-B -SJ 414 Comm Report Favorable by Judiciary-Civil, placed on Calendar -SJ 417 Placed on Special Order Calendar -SJ 571, Passed; YEAS 32 NAYS 0 -SJ 615 Ordered enrolled Signed by Officers and presented to Governor Approved by Governor, Chapter No 87-184 ON by Clark
н	modifies 101 121, : 03/17/87 04/07/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/23/87 04/23/87 04/29/87 05/05/87 05/05/87 05/05/87 05/25/87 05/25/87 05/25/87 05/26/87 06/02/87 06/02/87 06/02/87 06/02/87 06/02/87	Cortain rest. 131, 102 031 HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE SENATE SENATE SENATE SENATE	nctions for soluciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, placed on Calendar Comm Report. Favorable by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted J. J. S.
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н	modifies 101 121, : 03/17/87 04/07/87 04/07/87 04/17/87 04/23/87 04/23/87 04/23/87 04/23/87 04/23/87 04/29/87 05/05/87 05/05/87 05/05/87 05/05/87 05/25/87 05/26/87 06/02/87 06/02/87 06/02/87 06/02/87 06/02/87 06/02/87 06/02/87 06/02/87 06/02/87 06/02/87 06/02/87 06/02/87 06/02/87	Cortain rest. 131, 102 031 HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE	nctions for soluciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, Fa- vorable, to Calendar Comm Report. Favorable by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendments adopted -HJ 357 Read third time, Amendments adopted -HJ 357 Read third time, Amendments adopted -HJ 357 In Messages Received, referred to Judiciary-Civil -SJ 333 On Committee agenda—Judiciary-Civil, 05/26/87, 9 00 am, Room-B -SJ 414 Comm Report Favorable by Judiciary-Civil, placed on Calendar -SJ 417 Placed on Special Order Calendar -SJ 571, Passed; YEAS 32 NAYS 0 -SJ 615 Ordered enrolled Signed by Officers and presented to Governor Approved by Governor. Chapter No 87-184 DN by Clark <u>Football Team</u> , recognizes & commends Dillard High School pers for their accomplishments in winning Class "AAAA" apionship for 1986-1987 season
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н	modifies 101 121, 1 03/17/87 03/25/87 04/07/87 04/17/87 04/21/87 04/23/87 04/23/87 04/23/87 04/27/87 05/05/87 05/05/87 05/05/87 05/05/87 05/25/87 05/26/87 06/02/87	Cortain rest. 131, 102 031 HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE SENATE SENATE SENATE SENATE SENATE SENATE SENATE SENATE SENATE HOUSE	nctions for soluciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, Fa- vorable; to Calendar Comm Report. Favorable by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted -HJ 357 Received, referred to Judiciary-Civil -SJ 333 On Committee agenda—Judiciary-Civil, 05/26/87, 9.00 am, Room-B -SJ 414 Comm Report Favorable by Judiciary-Civil, placed on Calendar -SJ 417 Placed on Special Order Calendar -SJ 571, Passed; YEAS 32 NAYS 0 -SJ 615 Ordered enrolled Signed by Officers and presented to Governor Approved by Governor, Chapter No 87-184 ON by Clark <u>Football Team</u> , recognizes & commends Dillard High School lers for their accomplishments in winning Class "AAAA" spionship for 1986-1987 season Prefiled Referred to Education, K - 12 Introduced, referred to Education, K - 12 -HJ 52
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н	modifies 101 121, : 03/17/87 04/07/87 04/07/87 04/17/87 04/23/87 04/23/87 04/23/87 04/23/87 04/23/87 04/23/87 04/29/87 05/05/87 05/05/87 05/05/87 05/05/87 05/25/87 06/02/87	Cortain rest. 131, 102 031 HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE SENATE SENATE SENATE SENATE SENATE SENATE SENATE SENATE SENATE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE HOUSE	nctions for soluciting near polling places, etc. Amends 97 021, , repeals 104.36 Effective Date: 01/01/88. Prefiled Referred to Ethics & Elections Introduced, referred to Ethics & Elections -HJ 52 Subreferred to Subcommittee on Elections; On subcom- mittee agenda—Ethics & Elections, 04/21/87, 1 15 pm, 212 HOB Subcommittee Recommendation pending ratification by full Committee Favorable; On Committee agenda—Ethics & Elections, 04/23/87, 8.00 am, 212 HOB Preliminary Committee Action by Ethics & Elections, Fa- vorable; to Calendar Comm Report. Favorable by Ethics & Elections, placed on Calendar -HJ 279 Placed on Special Order Calendar Read second time, Amendmenta adopted -HJ 357 Read third time, Amendmenta adopted -HJ 357 Received, referred to Judiciary-Civil -SJ 333 On Committee agenda—Judiciary-Civil, 05/26/87, 9.00 am, Room-B -SJ 414 Comm Report Favorable by Judiciary-Civil, placed on Calendar -SJ 417 Placed on Special Order Calendar -SJ 571, Passed; YEAS 32 NAYS 0 -SJ 615 Ordered enrolled Signed by Officers and presented to Governor Approved by Governor, Chapter No 87-184 ON by Clark <u>Football Team</u> , recognizes & commends Dillard High School lers for their accomplishments in winning Class "AAAA" spionship for 1986-1987 season Prefiled Referred to Education, K - 12 Introduced, referred to Education, K - 12 -HJ 52

- 04/14/87 HOUSE Preliminary Committee Action by Education, K 12 Favorable, to Calendar Comm Report Favorable by Education, K = 12, placed on Ualendar -HJ 1.35 04/15/87 HOUSE
- 04/29/87 HOUSE Read second time, Adopted -HJ 318

(

# SB 994

By Senator Weinstein

		1	A bill to be entitled
		2	An act relating to domestic violence; amending
		3	s. 741.30, F.S.; providing a cause of action
		- 4	for injunctive relief to any family member or
100	page	5	cohabitant who is being victimized; providing
1000	· · · · ·	6	an effective date.
-	per Lic.	7	
1000	cents e publ	8	Be It Enacted by the Legislature of the State of Florida:
	Ŭ g	9	
	20	10	Section 1. Paragraphs (e) and (f) of subsection (2) of
100	of	11	section 741.30, Florida Statutes, 1986 Supplement, are
	cost atur	12	redesignated as paragraphs (f) and (g), respectively, and a
	ge c isla	13	new paragraph (e) is added to said subsection, to read:
	everage o	14	741.30 Action by-spouse for injunction for protection
		15	against domestic violence; powers and duties of court and
	۰.	16	clerk of court; filing and form of petition for injunction;
	<b>"</b>	17	notice and hearing; temporary injunction; issuance of
	oduced a	18	injunction; enforcement
	produced of member	19	(2) There is created a cause of action for an
	" O	20	injunction for protection against domestic violence.
		21	(e) This cause of action for an injunction may be
	publication he informati	22	sought between persons residing within a single dwelling unit
	1 L	23	as though members of one household. No person shall be
		24	precluded from seeking injunctive relief pursuant to this
	This for t	25	chapter solely on the basis that such person is not a spouse.
l	E a	26	Section 2. This act shall take effect upon becoming a
		27	law.
		28	*****************************
		29	HOUSE SUMMARY
		30	Expands the protection of victims of domestic violence to include injunctive relief for any family member or
		31	cohabitant who is being victimized.
		8	1

REVISED: DATE: <u>May 1</u> ,	1987		BILL NO. <u>SB 994</u> Page <u>1</u>
SENA	TE STAFF ANALYSIS AND	ECONOMIC IMPACT STATE	ment
ANALYST 1. <u>Wiehle (<sup>3)</sup></u> 2 3 4 SUBJECT:	STAFF DIRECTOR	REFERENCE         1. JCI	ACTION
Domestic Viol Cohabitant Vi		SB 994 by Senator Weinste	in

- I. SUMMARY:
  - A. Present Situation:

Section 741.30, F.S., provides for an injunction for protection against domestic violence. Domestic violence is defined as any assault, battery, or sexual battery by a person against the person's spouse. Spouse is defined as a person to whom another person is married or a person to whom another person has been married and from whom such person is now separated or divorced. Any spouse who is the victim of any act of domestic violence can petition for an injunction.

. Effect of Proposed Changes:

Senate Bill 994 would allow persons residing within a single dwelling unit as though members of one household to petition for an injunction for protection against domestic violence. The bill provides that no person is to be precluded from seeking an injunction solely on the basis that the person is not a spouse.

- II. ECONOMIC IMPACT AND FISCAL NOTE:
  - A. Public:

None.

B. Government:

None.

III. COMMENTS:

Cohabitation is not defined in ch. 741, F.S., but it is defined in Blacks Law Dictionary as "living, or abiding or residing together as man and wife." The bill would allow injunctive relief against domestic violence to be sought between persons residing within a single dwelling unit as though members of one household. The bill's title indicates that the bill provides this protection for family members and cohabitants. Thus, the title would appear to be more restrictive than the subject of the bill thereby not providing sufficient notice in violation of Article III, s. 6, Fla. Const.

There is an identical House bill, HB 545.

IV. AMENDMENTS:

None.

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BIL	L VOTE SHEET
(VS-87: File with Secretary of Sen	ate) BILL NO. <u>SB 994</u>
COMMITTEE ON Judiciary-Civil	
DATE May 12, 1987	FINAL ACTION:
TIME2:00 - 5:00 P.M.	Favorably withamendments
PLACE Rm. B - Senate Office Bldq	
OTHER COMMITTEE REFERENCES:	Unfavorably
(In order shown)	OTHER:Temporarily Passed
	Reconsidered
	Not Considered

THE VOTE WAS:

	NAL VOTE	SENATORS	PCS Wel	nsten								
Aye	Nay		Aye	Nay	Aye	Nay	Ауе	Nay	Ауе	Nay	Aye	Nay
x	L	Crenshaw	Ŵ			L	ļ	<u> </u>	$\square$	<u> </u>		
x		Dudley	I							<u> </u>		
x		Frank	Т	1							L	
x		Јелле	н									
x		Weinstein VICE CHAIRMAN	0		-							-
x		Grant	U			-		L				
<u>x</u>		CHAIRMAN Langley	T		7					-		
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7	0	TOTAL	x							-		
Aye	Nay		Aye	Nay	Aye	Nav	Aye	Nav	Ave	Nay	Aye	Nay

(Attach additional page if necessary)

Please C	Complete: The	key sponsor	appeared	(	٨	)
	A S	enator appear	red	(		)
	Spo	nsor's aide a	appeared	(		)
	Otn	er appearance	2	(		)

- 5				
6				
7				
8				
9	If amendment is text from another bill insert:			
10				
11	and insert:			
12	Section 1. Subsections (1) and (2) of section 741.30,			
13	Florida Statutes, 1986 Supplement, are amended to read:			
14	741.30 Action by-spouse for injunction for protection			
15	against domestic violence; powers and duties of court and			
16	clerk of court; filing and form of petition for injunction;			
17	notice and hearing; temporary injunction; issuance of			
18	injunction; enforcement			
19	(1) As used in this section, the term:			
20	(a) "Domestic violence" means any assault, battery, or			
21	sexual battery by a person against the person's spouse.			
22	! (b) "Spouse" means a person to whom another person			
23	is married or a person to whom another person has been married			
24	and from whom such person is now separated or divorced.			
25	(c) "Family member" means a parent or a son or			
26	<u>daughter</u> .			
27	(2) There is created a cause of action for an			
28	injunction for protection against domestic violence.			
29	(a) Any spouse who is the victim of any act of			
30	domestic violence, or has reasonable cause to believe he or			
31	she is about to become the victim of any act of domestic			
	1 87s0994/jci0f			
CODING: Words stricken are deletions; words <u>underlined</u> are additions.				
	<pre>* Amendment No, taken up by committee: Adopted _ ? * Offered by Failed _ ?</pre>			
	Amendment No Adopted Failed Date / / )			

-5	sought whether or not any other cause of action is currently	
6	pending between the parties. However, the pendency of any	
7	such cause of action shall be alleged in the petition.	
8	(c) In the event a subsequent cause of action is filed	
9	under chapter 61, any orders entered therein shall take	
10	precedence over any injunction issued under this section.	
11	(d) A person's right to petition for an injunction	
12	shall not be affected by such person having left a residence	
13	or household to avoid domestic violence.	
14	(e) This cause of action for an injunction may be	
15	sought between family members. No person shall be precluded	
16	from seeking injunctive relief pursuant to this chapter solely	
17	on the basis that such person is not a spouse.	ŝ
18	(f)(e) This cause of action for an injunction shall	
19	not require that the petitioner be represented by an attorney.	
20	(q)(f) Nothing in this section shall affect the title	
21	to any real estate.	
22	Section 2. This act shall take effect upon becoming a	
23	law.	
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9	If amendment is text from another bill insert:
10	Bill No. Draft No. With Changes? Yes
11	and insert:
12	
13	A bill to be entitled
14	An act relating to domestic violence; amending
15	s. 741.30, F.S.; providing a definition;
16	providing a cause of action for injunctive
17	relief to any family member who is being
18	victimized; providing an effective date.
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C	87s0994/jci0e DDING: Words stricken are deletions; words <u>underlined</u> are additions.
	* Amendment No, taken up by committee: Adopted _ *
	* Offered by Failed *
	(Amendment No Adopted Failed Date//_)

Florida Senate - 1987

# CS for SB 994

By the Committee on Judiciary-Civil and Senator Weinstein

	1	A bill to be entitled
,	2	An act relating to domestic violence; amending
	3	s. 741.30, F.S.; providing a cause of action
	4	for injunctive relief to any family member who
	5	is being victimized; redefining "domestic
	6	violence" by changing the definition of who
đ	7	constitutes a victim of such violence;
per	8	conforming provisions relating to actions for
	9	protection against domestic violence; providing
	10	an effective date.
	11	
0	12	Be It Enacted by the Legislature of the State of Florida:
t ur	13	
at an aver s of the Leg.uk	14	Section 1. Paragraph (a) of subsection (1), paragraph
	15	(a) of subsection (2), and paragraph (b) of subsection (4) of
	16	section 741.30, Florida Statutes, 1986 Supplement, are
	17	amended, paragraphs (e) and (f) of subsection (2) of said
	18	section are redesignated as paragraphs (f) and (g),
	19	respectively, and a new paragraph (e) is added to said
prod	20	subsection, to read:
20	21	741.30 Action by-spouse for injunction for protection
E I O	22	against domestic violence; powers and duties of court and
Draw	23	clerk of court; filing and form of petition for injunction;
L LC	24	notice and hearing; temporary injunction; issuance of
d a a	25	injunction; enforcement
	26	(1) As used in this section, the term:
Êŭ	27	(a) "Domestic violence" means any assault, battery, or
	28	sexual battery by a person against the person's spouse or
	29	against any other person related by blood or marriage to the
	30	petitioner or respondent, who is or was residing in the same
	31	single dwelling unit.
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	an aver. Fost of 1.5 cents per pag the Legsture and the public.	2         3         4         5         6         7         8         9         10         12         13         14         15         16         17         16         17         16         17         16         17         16         17         16         17         16         17         20         21         22         23         24         25         26         27         28         29         30

308-1827-87

### CS for SB 994

(2) There is created a cause of action for an injunction for protection against domestic violence. 2 3 (a) Any spouse, or any person described in paragraph (e), who is the victim of any act of domestic violence, or has 4 reasonable cause to believe he or she is about to become the 5 victim of any act of domestic violence, has standing in the 6 circuit court to file a sworn petition for an injunction for 7 protection against domestic violence. 2 (e) This cause of action for an injunction may be 10 sought between persons related by blood or marriage who are or were residing within a single dwelling unit as though members 11 of one household. No person shall be precluded from seeking 12 13 injunctive relief pursuant to this chapter solely on the basis that such person is not a spouse. 14 15 (4) 16 (b) The sworn petition shall be in substantially the 17 following form: 18 PETITION FOR 19 INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE 20 21 22 Before me, the undersigned authority, personally appeared 23 Petitioner ... (Name)..., who has been sworn and says that the 24 following statements are true: 25 (a) Petitioner resides at: ...(address)... (b) Respondent resides at: ...(address)... 26 27 (c) Respondent is the spouse or former spouse of the 28 petitioner or is any other person related by blood or marriage to the petitioner who is or was residing within a single 29 30 dwelling unit with the petitioner. 31 2

308-1827-87

#### CS for SB 994

(d) The following describes any other cause of action 1 2 currently pending between the petitioner and respondent: .... 3 ..... 4 (e) Petitioner has suffered or has reasonable cause to 5 fear domestic violence because respondent has: ..... (f) Petitioner alleges the following additional 6 7 specific facts: (mark appropriate sections) 8 .... Petitioner is the custodian of a minor child or 9 children whose names and ages are as follows: ..... 10 .... Petitioner needs the exclusive use and possession of the dwelling that the parties share. 11 12 .... Petitioner is unable to obtain safe alternative 13 housing because. ..... 14 .... Petitioner genuinely fears that respondent will 15 abuse, remove, or hide the minor child or children from petitioner because: ..... 16 17 (g) Petitioner genuinely fears domestic violence by 18 respondent. 19 (h) Petitioner seeks an injunction: (mark appropriate 20 section or sections) .... Immediately restraining the respondent from 21 committing any acts of domestic violence. 22 23 .... Restraining the respondent from committing any 24 acts of domestic violence. 25 .... Awarding to the petitioner the temporary exclusive 26 use and possession of the dwelling that the parties share or 27 excluding the respondent from the residence of the petitioner. 28 .... Awarding temporary custody of, or temporary 29 visitation rights with regard to, the minor child or children 30 of the parties. 31 3

305-1827-87

.... Establishing temporary support for the minor child or children of the petitioner. .... Directing the respondent to participate in treatment or counseling services. .... Providing any terms the court deems necessary for the protection of a victim of domestic violence, including any injunctions or directives to law enforcement agencies. Section 2. This act shall take effect October 1, 1987. STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR Senate Bill 994 The committee substitute would allow persons related by blood or marriage who are or were residing within the same single dwelling unit to petition for an injunction for protection against domestic violence. 

REVISED:		BILL
DATE:	<u>May 14, 1987</u>	

Page 1

#### SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

ANALYST	STAFF DIRECTOR		REFERENCE	ACTION	
1. <u>Wiehle 4.00</u> 2	Lester BL	1. 2. 3	<u>JCI</u>	FAV/CS	
4.		4.			
SUBJECT:			BILL NO. AND	SPONSOR:	
Domestic Viole Cohabitant Vio			CS/SB 994 by and Senator N	Judiciary-Civil Weinstein	

#### I. SUMMARY:

A. Present Situation:

Section 741.30, F.S., provides for an injunction for protection against domestic violence. Domestic violence is defined as any assault, battery, or sexual battery by a person against the person's spouse. Spouse is defined as a person to whom another person is married or a person to whom another person has been married and from whom such person is now separated or divorced. Any spouse who is the victim of any act of domestic violence can petition for an injunction.

B. Effect of Proposed Changes:

The committee substitute would allow persons related by blood or marriage who are or were residing within the same single dwelling unit to petition for an injunction for protection against domestic violence.

#### II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None.

B. Government:

None.

III. <u>COMMENTS</u>:

There is a similar House bill, CS/HB 545.

IV. AMENDMENTS:

None.

#### STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR Senate Bill 994

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The committee substitute would allow persons related by blood or marriage who are or were residing within the same single dwelling unit to petition for an injunction for protection against domestic violence.

Committee on <u>Judiciary-Civil</u>

Director

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(FILE THREE COPIES WITH THE SECRETARY OF THE SENATE)

## Journal

# of the

# SENATE

# State of Florida

NINETEENTH REGULAR SESSION

UNDER THE CONSTITUTION AS REVISED IN 1968

APRIL 7 THROUGH JUNE 6, 1987



this chapter, committed within a municipality shall be paid and distributed to the municipality, and the remainder shall be paid to the county The funds payable to a special improvement district, as created by s 285 17, which is located in a charter county shall be determined in the same manner as the funds payable to municipalities in that county All fines and forfeitures received by any county court as the result of citations issued pursuant to s 316.640(2)(b)1 shall be paid to the county whether or not such citations are issued for parking violations occurring within a municipality or special improvement district, as created by s 285 17

Section 2 Subsections (1) and (3) of section 318 21, Florida Statutes, are amended to read.

318.21 Disposition of civil penalties by county courts —All civil penalties received by a county court pursuant to the provisions of this chapter shall be distributed and paid monthly as follows

(1) If the violation occurred within a municipality or a special improvement district of the Seminole and Miccosukee Indian Tribes

(a) Twenty-five percent shall be paid to the General Revenue Fund of the state; and

(b) Seventy-five percent shall be paid to the municipality or a special improvement district of the Seminole and Miccosukee Indian Tribes

(3)(a) Moneys paid to the General Revenue Fund of the state under subsections (1) and (2) shall be distributed as follows:

1. Forty percent shall be deposited in the Emergency Medical Services Trust Fund for the purposes set forth in s 401 113,

2 Twenty-five percent shall be deposited in the Additional Court Cost Clearing Trust Fund established pursuant to s 94325 for criminal justice purposes; and

3 The remainder may be used for any lawful purpose.

(b) Moneys paid to a municipality or special improvement district of the Seminole and Miccosukee Indian Tribes under subsection (1) shall be used to fund local criminal justice training as provided in s 943 25(7), when such a program is established by ordinance; to fund a municipal school crossing guard program, when such a program is established by ordinance, and for any other lawful purpose

(c) Moneys paid to a county under subsection (2) shall be used to fund local criminal justice training as provided in s 943 25(7) when such a program is established by ordinance, to fund a county school crossing guard program, when such a program is established by ordinance, and for any other lawful purpose

Section 3 This act shall take effect upon becoming a law

Amendment 6—In title, on page I, strike everything before the enacting clause and insert: A bill to be entitled An act relating to traffic infractions, amending s. 316.660, F S; providing that fines collected by a county court for certain traffic violations be divided among certain special improvement districts and the county in which such fines were collected; amending s 318.21, F.S, providing that a portion of certain fines collected by a county court be paid to certain special improvement districts; providing an effective date.

On motion by Senator Ros-Lehtinen, by two-thirds vote SB 842 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

#### Yeas-35

Beard	Gordon	Kirkpatrick	Ros-Lehtinen
Brown	Grant	Kıser	Scott
Childers, D.	Grizzle	Langley	Stuart
Childers, W D	Hair	Lehtinen	Thomas
Crenshaw	Hıll	Malchon	Thurman
Deratany	Hollingsworth	McPherson	Weinstein
Dudley	Jenne	Meek	Weinstock
Frank	Jennings	Myers	Woodson
Girardeau	Johnson	Peterson	

Naya-None

CS for SB 994—A bill to be entitled An act relating to domestic violence, amending s 741 30, FS, providing a cause of action for injunctive relief to any family member who is being victimized, redefining "domestic violence" by changing the definition of who constitutes a victim of such violence, conforming provisions relating to actions for protection against domestic violence, providing an effective date

-was read the second time by title

Senator Weinstein moved the following amendment which was adopted:

Amendment 1-On page 2, lines 11 and 12, strike "as though members of one household"

On motion by Senator Weinstein, by two-thirds vote CS for SB 934 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was.

Yeas-33

Beard	Gordon	Lehtinen	Stuart
Brown	Grizzle	Malchon	Thomas
Childers, D.	Hair	McPherson	Thurman
Childers, W. D	Hollingsworth	Meek	Weinstein
Crawford	Jenne	Myers	Weinstock
Crenshaw	Jennings	Peterson	Woodson
Dudley	Johnson	Plummer	
Frank	Kirkpatrick	Ros-Lehtinen	
Girardeau	Langley	Scott	

Nays-None

Vote after roll call:

Yea-Grant

SB 656—A bill to be entitled An act relating to the investment of financial assets, amending a 744.444, F S., providing that a guardian may invest estate assets in securities guaranteed by the full faith and credit of the Federal Government, providing an effective date

-was read the second time by title. On motion by Senator Plummer, by two-thirds vote SB 656 was read the third time by title, passed and certified to the House The vote on passage was

#### Yeas-34

Beard	Grant	Kiser	Ros-Lehtinen
Brown	Grizzle	Langley	Scott
Childers, D	Hair	Lehtunen	Thomas
Childers, W D.	Hill	Malchon	Thurman
Crenshaw	Hollingsworth	Margolis	Weinstein
Dudley Frank Gırardeau Gordon	Jenne Jennings Johnson Kirkpatrick	McPherson Meek Peterson Plummer	Weinstock Woodson

#### Nays-None

CS for SB 763—A bill to be entitled An act relating to educational facilities; amending s. 235.41, F.S.; requiring the Commissioner of Education, in consultation with the legislative appropriations committees, to provide annually to the State Board of Community Colleges and the Board of Regents an estimate of funds to be utilized by the boards in developing their 3-year priority lists, amending s 235.435, F.S., providing certain restrictions on the inclusion of certain projects on 3-year priority lists, providing for the carrying forward of certain unfunded projects on such lists; providing an effective date

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote CS for SB 763 was read the third time by title, passed and certified to the House. The vote on passage was.

#### Yeas-39

Florida House of Representatives - 1987

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### HB 545

By Representative Gordon

1 A bill to be entitled 2 An act relating to domestic violence; amending 3 s. 741.30, F.S.; providing a cause of action for injunctive relief to any family member or 4 5 cohabitant who is being victimized; providing 6 an effective date. 7 8 Be It Enacted by the Legislature of the State of Florida: 9 s publication was produced at an average cost of 1.5 cents per gie page in compliance with the Rules and for the information members of the legislature and the public Section 1. Paragraphs (e) and (f) of subsection (2) of 10 11 section 741.30, Florida Statutes, 1986 Supplement, are 12 redesignated as paragraphs (f) and (g), respectively, and a 13 new paragraph (e) is added to said subsection, to read: 14 741.30 Action by-spouse for injunction for protection against domestic violence; powers and duties of court and 15 16 clerk of court; filing and form of petition for injunction; 17 notice and hearing; temporary injunction; issuance of injunction; enforcement.--18 19 (2) There is created a cause of action for an injunction for protection against domestic violence. 20 21 (e) This cause of action for an injunction may be 22 sought between persons residing within a single dwelling unit s l 23 as though members of one household. No person shall be 24 precluded from seeking injunctive relief pursuant to this 25 chapter solely on the basis that such person is not a spouse. Section 2. This act shall take effect upon becoming a 26 27 law.

#### \*

#### HOUSE SUMMARY

Expands the protection of victims of domestic violence to include injunctive relief for any family member or cohabitant who is being victimized.

CODING Words in struck through type are deletions from existing low, words underlined are additions

STORAGE	NAME:	87	SR	HB	545

Date:	April	13,	1987	
Revise	ed:		10 1000	194 232 d
Final:				

### HOUSE OF REPRESENTATIVES COMMITTEE ON CRIMINAL JUSTICE STAFF ANALYSIS

BILL #: <u>HB 54</u> 5
RELATING TO: Injunctions against domestic violence
SPONSOR(S): <u>Representative Gordon</u>
EFFECTIVE DATE: Upon becoming a law
COMPANION BILL(S):
OTHER COMMITTEES OF REFERENCE: (1)
(2)
********

#### I. <u>SUMMARY:</u>

#### A. <u>Present Situation</u>

Section 741.30, F.S. currently provides for an action for injunction for protection against domestic violence. The action is available to any "spouse" who is the victim of any domestic violence, or has reasonable cause to believe he or she is about to become the victim of domestic violence. (F.S. 741.30(2))

"Spouse" is defined as "a person to whom another person is married or a person to whom another person has been married and from whom such person is now separated or divorced." (F.S. 741.30(1)(b))

"Domestic violence" is defined as "any assault, battery, or sexual battery by a person against the person's spouse." (F.S. 741.30(1)(a))

#### B. Effect of Proposed Changes

This bill would add a new subsection to s. 741.30(2), F.S., providing that the cause of action for an injunction may be sought "between persons residing within a single dwelling unit as though members of one household." The bill also provides that "no person shall be precluded from seeking injunctive relief pursuant to this chapter solely on the basis that such person is not a spouse."

## II. ECONOMIC IMPACT:

A. <u>Public</u>:

19 1729

Page 2 Bill # HB 545 Date: April 13, 1987

None apparent

#### B. <u>Government:</u>

The bill provides standing in injunction proceedings to many persons who previously did not have it. This may have a fiscal impact on the court system, but the actual impact is indeterminable at this time.

#### III. STATE COMPREHENSIVE PLAN IMPACT:

The bill is consistent with paragraphs 10 and 11 of s. 187.201(3), F. S., prevention of family violence and support for victims of family violence. The bill is also consistent with paragraph 11 of s. 187.201(7), F. S., protection of individual personal safety.

#### IV. COMMENTS:

A proposal similar to this bill (CS/HB 456, 1986) passed the House of Representatives during the 1986 legislative session (House Journal 746). However, the bill died in the Senate Committee on Health and Rehabilitative Services. The 1986 bill conferred standing for an injunction action between persons who were or had been "cohabitating." Cohabitating was defined as "members of the opposite sex living in a single dwelling unit as conjugal partners, though not legally married." The current bill would apply to any two persons residing in the same household.

Some additional technical changes may need to be made to s. 741.30 if this bill is passed. Subsection (1)(a) of s. 741.30 defines "domestic violence" as violence against a person's <u>spouse</u>. To make this definition consistent with the new provision, it may need to be expanded to include violence against "a person residing in the same dwelling unit as though a member of the same household."

Subsection (2)(a) of s. 741.30 provides that any "spouse" who is a victim, or who is about to be a victim of domestic violence, has standing to seek an injunction. This is also inconsistent with the provisions of this bill, which confers standing on non-spouses.

Finally, subsection (4)(c) of s. 741.30 requires the petition for injunction to state in substantially similar form that "respondent is the spouse or former spouse of the petitioner." Extension of this statement to non-spouses who have standing under the bill is not technically necessary, but may be desirable in order to achieve consistency.

Three amendments and a title amendment reflecting these technical changes have been prepared by staff and are attached.

#### V. AMENDMENTS:

None.

VI. PREPARED BY:



Mark A. Massey Legislative Intern

Bill Ryan

VII. STAFF DIRECTOR:

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	n, Committee on	<u>Criminal</u>	Justi	<u>ce</u>				
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HOUSE AMENDMENT FOR DRAFTING ONLY
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1	Amendment No
2	Committee on
3	Offered by Rep(s)
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5	On pagel, insert between lines 25 & 26,
6	
7	Section 2. Paragraph (a) of subsection (1) of section 741.30,
8	F. S , 1986 Supplement, is amended to read:
9	741.30 Action by-spouse for injunction for protection
10	against domestic violence; powers and duties of court and
11	clerk of court; filing and form of petition for injunction;
12	notice and hearing; temporary injunction; issuance of
13	injunction; enforcement
14	(1) As used in this section, the term:
15	(a) "Domestic violence" means any assault, battery, or
16	sexual battery by a person against the person's spouse or
17	against a person residing in the same single dwelling unit as
18	though a member of the same household.
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	Sub Full
	Date
	HOUSE AMENDMENT FOR DRAFTING ONLY
1	Amendment No. 2
	Amendment No. 2         Bil. No. 545           Committee on
3	Offered by Rep(s)
4	
5	On page, 1, insert between lines 25 & 26,
6	
7	Section 2. Subsection (b) of paragraph (4) of section
8	741.30, Florida Statutes, 1986 Supplement, is amended to read:
9	(4)(a) The sworn petition shall allege the existence
10	of such domestic violence and shall include the specific facts
11	and circumstances upon the basis of which relief is sought.
12	(b) The sworn petition shall be in substantially the
13	following form:
14	PETITION FOR
15	INJUNCTION FOR PROTECTION
16	AGAINST DOMESTIC VIOLENCE
17	
18	Before me, the undersigned authority, personally appeared
19	Petitioner(Name), who has been sworn and says that the
20	following statements are true:
21	(a) Petitioner resides at:(address)
22	(b) Respondent resides at:(address)
23	(c) Respondent is the spouse of former spouse of the
24	petitioner or is or was residing within a single dwelling unit
25	with petitioner as though a member of the same household.
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HOUSE AMENDMENT FOR DRAFTING ONLY
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1	Amendment No 3 8.11 No. <u>HB545</u>
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3	Offered by Rep(s)
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5	On pagel,insert between lines.25 4 26,
б	
7	Section 2. Paragraph (a) of subsection (2) of section
8	741 30, Florida Statutes, 1986 Supplement, is amended to read
9	(2) There is created a cause of action for an
10	injunction for protection against domestic violence.
11	(a) Any spouse or any person described in paragraph
12	(e) of this subsection, who is the victim of any act of
13	domestic violence, or has reasonable cause to believe he or
14	she is about to become the victim of any act of domestic
15	violence, has standing in the circuit court to file a sworn
16	petition for an injunction for protection against domestic
17	violence.
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5	title
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7	On pagel, line5,
8	
9	insert. after "victimized;":
10	redefining_domestic_violence_by_changing_the_definition
11	of who constitutes a victim of such violence; conforming
12	provisions relating to actions for protection against domestic
13	violence;
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1	A bill to be entitled	l:ptc
2	An act relating to domestic violence; amending	1.3
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6	"domestic violence" by changing the definition	1.5
7	of who constitutes a victor of such violence;	1
8	conforming provisions Felating to actions for	ł
9	protection against domestic violence; providing	1.5
10	an effective date	1.7
11		
12	Be It Enacted by the Egislature of the State of Florida:	l:enc
13		
14	Section The Paragraph (a) of subsection (1), paragraph	1.8
15	(a) of subsection (2), and paragraph (b) of subsection (4) of	1.9
16	section 741.30, Florida Statutes, 1986 Supplement, are	
17	amended, paragraphs (e) and (f) of subsection (2) of said	1.11
18	section are redesignated as paragraphs (f) and (g),	
19	respectively, and a new paragraph (e) is added to said	1.12
20	subsection, to read:	ł
21	741.30 Action by-spouse for injunction for protection	1.14
22	against domestic violence; powers and duties of court and	ļ
23	clerk of court; filing and form of petition for injunction;	1.15
24	notice and hearing; temporary injunction; issuance of	
25	injunction; enforcement	1.16
26	(1) As used in this section, the term:	1.17
27	(a) "Domestic violence" means any assault, battery, or	1.20
28	sexual battery by a person against the person's spouse $\underline{or}$	
29	against a person who is or was residing in the same single	1.21
30	dwelling unit as though a member of the same household.	
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1	(2) There is created a cause of action for an	1.22
2		1.23
		1.24
3		1
4		11.27
5		
6	victim of any act of domestic violence, has standing in the	1.29
7	circuit court to file a sworn petition for an injunction for	1.30
8	protection against domestic violence.	1.31
9	(e) This cause of action for an injunction may be	l:luş
10	sought between persons who are or were residing within a	1.33
11	single dwelling unit as though members of one household. No	1.34
12	person shall be precluded from seeking injunctive relief	
13	pursuant to this chapter solely on the basis that such person	1.35
14	is not a spouse.	ĺ
15	(4)	1.36
16	(b) The sworn petition shall be in substantially the	1.36
17]	following form:	
18	PETITION FOR	1.37
19	INJUNCTION FOR PROTECTION	1.37
20	AGAINST DOMESTIC VIOLENCE	1.37
21		
22	Before me, the undersigned authority, personally appeared	1.38
23	Petitioner(Name), who has been sworn and says that the	1:ul
24	following statements are true:	
25	(a) Petitioner resides at:(address)	l:ul
26	(b) Respondent resides at:(address)	l:ul
27	(c) Respondent is the spouse or former spouse of the	1.44
28	petitioner or is or was residing within a single dwelling unit	1.45
29	with the petitioner as though a member of the same household.	1.46
30		
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1	(d) The following describes any other cause of action	11.47
2	currently pending between the petitioner and respondent:	
3		
4	(e) Petitioner has suffered or has reasonable cause to	1.51
5	fear domestic violence because respondent has:	
6	(f) Petitioner alleges the following additional	1.53
7	<pre>specific facts: (mark appropriate sections)</pre>	1.56
8	Petitioner is the custodian of a minor child or	l:LN
9	children whose names and ages are as follows:	ł
10	Petitioner needs the exclusive use and possession	l:LN
11	of the dwelling that the parties share.	1.60
12	Petitioner is unable to obtain safe alternative	1:LN
13	housing because:	
14	Petitioner genuinely fears that respondent will	l:LN
15	abuse, remove, or hide the minor child or children from	1.64
16	petitioner because:	l
17	(g) Petitioner genuinely fears domestic violence by	1.66
18	respondent.	
19	(h) Petitioner seeks an injunction: (mark appropriate	1.68
20	section or sections)	1.69
21	Immediately restraining the respondent from	1.71
22	committing any acts of domestic violence.	1.72
23	Restraining the respondent from committing any	l:LN
24	acts of domestic violence.	1.75
25	Awarding to the petitioner the temporary exclusive	1.77
26	use and possession of the dwelling that the parties share or	1.79
27	excluding the respondent from the residence of the petitioner.	5
28	Awarding temporary custody of, or temporary	1.82
29	visitation rights with regard to, the minor child or children	
30	of the parties.	1.83
31		
4	3	

1	Establishing temporary support for the minor child	12.1
2	or children of the petitioner.	
3	Directing the respondent to participate in	1:LN
4	treatment or counseling services.	2.3
5	Providing any terms the court deems necessary for	2.5
6	the protection of a victim of domestic violence, including any	2.7
7	injunctions or directives to law enforcement agencies.	2.8
8	Section 2. This act shall take effect October 1, 1987.	2.9
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2	HOUSE SUMMARY	l. הסג
3	Expands the protection of victims of domestic violence to include injunctive relief for any family member or cohabitant who is being victimized.	2.12
4	cohabitant who is being victimized.	2.23
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### HOUSE OF REPRESENTATIVES COMMITTEE ON CRIMINAL JUSTICE /9 STAFF ANALYSIS

BILL #: Proposed CS/HB 545
RELATING TO: Injunctions against domestic violence
SPONSOR(S): <u>Representative Gordon</u>
EFFECTIVE DATE: October 1, 1987
COMPANION BILL(S):
OTHER COMMITTEES OF REFERENCE: (1)
(2)

## I. SUMMARY:

#### A. Present Situation

Section 741.30, F.S. currently provides for an action for injunction for protection against domestic violence. The action is available to any "spouse" who is the victim of any domestic violence, or has reasonable cause to believe he or she is about to become the victim of domestic violence. (F.S. 741.30(2))

"Spouse" is defined as "a person to whom another person is married or a person to whom another person has been married and from whom such person is now separated or divorced." (F.S. 741.30(1)(b))

"Domestic violence" is defined as "any assault, battery, or sexual battery by a person against the person's spouse." (F.S. 741.30(1)(a))

### B. Effect of Proposed Changes

This bill provides that the cause of action available to a spouse for an injunction may be sought "between persons residing within a single dwelling unit as though members of one household." The bill also provides that "no person shall be precluded from seeking injunctive relief pursuant to this chapter solely on the basis that such person is not a spouse."

#### II. ECONOMIC IMPACT:

#### A. <u>Public</u>:

None apparent

1729

Fage 2
Bill # Imoposed CS/HB 545
Date: April 20, 1987

#### B. Government:

The bill provides standing in injunction proceedings to many persons who previously did not have it. This may have a fiscal impact on the court system, but the actual impact is indeterminable at this time.

#### III. STATE COMPREHENSIVE PLAN IMPACT:

The bill is consistent with paragraphs 10 and 11 of s. 187.201(3), F. S., prevention of family violence and support for victims of family violence. The bill is also consistent with paragraph 11 of s. 187.201(7), F. S., protection of individual personal safety.

#### IV. COMMENTS:

A proposal similar to this bill (CS/HB 456, 1986) passed the House of Representatives during the 1986 legislative session (House Journal 746). However, the bill died in the Senate Committee on Health and Rehabilitative Services. The 1986 bill conferred standing for an injunction action between persons who were or had been "cohabitating." Cohabitating was defined as "members of the opposite sex living in a single dwelling unit as conjugal partners, though not legally married." The current bill would apply to any two persons residing in the same household.

#### V. AMENDMENTS:

PREPARED BY: Mark A. Massey VI. Legislative Intern VII. STAFF DIRECTOR: Bill Ryan

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COMMITTEE INFORMATION RECORD

House of Representatives

	J	27/87					
Time							
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Plac	e Morris Hall						
	14		۴in	ial Act	FION:	X FAVORABLE FAVORABLE WITH FAVORABLE WITH UNFAVORABLE	AMENDMENTS SUBSTITUTE
	VOTE:	MEMBER	NAY	i i	YEA	MEMBER	Nay
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	X Dunba	ır		1	λ	Woodruff	
	X Frank	el			x	Guatafson,Chrm.	
	X Glic)	tman			х	Burke	
	X Gordo	n					
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	X Lock	2		1			
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	The follow during the cons	ing persons (	other	than l 111.	EARANCE egislat	Chairman Resentative Tom Gustaf E RECORD tors) appeared before	the committee
	Name			Repres	senting		Address
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						· · · · · · · · · · · · · · · · · · ·	
						mployee appearing at	

Florida House of Representatives - 1987

## CS/HB 545

By the Committee on Criminal Justice and Representatives Gordon, and Mackenzie

-

1 A bill to be entitled An act relating to domestic violence; amending 2 s. 741.30, F.S.; providing a cause of action 3 4 for injunctive relief to any family member or cohabitant who is being victimized; redefining 5 6 "domestic violence" by changing the definition 7 of who constitutes a victim of such violence; feation was produced at an average cost of 1.5 cants per upe in compliance with the Aules and for the information s of the Legislature and the public. conforming provisions relating to actions for protection against domestic violence; providing 9 10 an effective date. 11 12 Be It Enacted by the Legislature of the State of Florida: 13 14 Section 1. Paragraph (a) of subsection (1), paragraph 15 (a) of subsection (2), and paragraph (b) of subsection (4) of 16 section 741.30, Florida Statutes, 1986 Supplement, are 17 amended, paragraphs (e) and (f) of subsection (2) of said section are redesignated as paragraphs (f) and (g), 18 19 respectively, and a new paragraph (e) is added to said 20 subsection, to read: 741.30 Action by-spouse for injunction for protection 21 22 against domestic violence; powers and duties of court and 23 clerk of court; filing and form of petition for injunction; 24 notice and hearing; temporary injunction; issuance of 25 injunction; enforcement.---26 (1) As used in this section, the term: 27 (a) "Domestic violence" means any assault, battery, or sexual battery by a person against the person's spouse or 22 29 against a person who is or was residing in the same single 30 dwelling unit as though a member of the same household. 31 4 1 .

CODING: Words in struck through type are deletions from existing law, words underliand are additions.

- --

(2) There is created a cause of action for an	1.22
injunction for protection against domestic violence.	1.23
(a) Any spouse, or any person described in paragraph	1.24
$(e)_r$ who is the victim of any act of domestic violence, or has	1.27
reasonable cause to believe he or she is about to become the	
victim of any act of domestic violence, has standing in the	1.29
circuit court to file a sworn petition for an injunction for	1.30
protection against domestic violence.	1.31
(e) This cause of action for an injunction may be	1:lus
sought between persons who are or were residing within a	1.33
single dwelling unit as though members of one household. No	1.34
person shall be precluded from seeking injunctive relief	
pursuant to this chapter solely on the basis that such person	1.35
is not a spouse.	
(4)	1.36
(b) The sworn petition shall be in substantially the	1.36
following form:	
PETITION FOR	1.37
INJUNCTION FOR PROTECTION	1.37
AGAINST DOMESTIC VIOLENCE	1.37
Before me, the undersigned authority, personally appeared	1.38
Petitioner (Name), who has been sworn and says that the	1:u1
following statements are true:	
(a) Petitioner resides at:(address)	1:ul
<pre>(b) Respondent resides at:(address)</pre>	1:ul
(C) Respondent is the spouse or former spouse of the	1.44
petitioner or is or was residing within a single dwelling unit	1.45
with the petitioner as though a member of the same household.	1.46
2	2
	<ul> <li>injunction for protection against domestic violence.</li> <li>(a) Any <u>spouse, or any person described in paragraph</u> (a), who is the victim of any act of domestic violence, has standing in the victim of any act of domestic violence, has standing in the victim court to file a sworn petition for an injunction may be mught between persons who are or were residing within a single dwelling unit as though members of one household. No person shall be precluded from seeking injunctive relief parsmant to this chapter solely on the basis that such person is not a spouse.</li> <li>(4)</li> <li>(5) The sworn petition shall be in substantially the following form:</li> <li>DETITION FOR</li> <li>INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE</li> </ul> Before me, the undersigned authority, personally appeared fetitioner(Name), who has been sworn and says that the following statements are true: <ul> <li>(a) Petitioner resides at:(address)</li> <li>(b) Respondent is the spouse or former spouse of the privationer or is or was residing within a single dwelling unit who has been showed and be spouse of the privationer or is or was residing within a single dwelling unit who has been showed and be showed of the petitioner or is or was residing within a single dwelling unit who has been showed and be showed of the same household.</li></ul>

1	(d) The following describes any other cause of action	1.47
2	currently pending between the petitioner and respondent:	
3		
4	(e) Petitioner has suffered or has reasonable cause to	1.51
5	fear domestic violence because respondent has:	ļ
6	(f) Petitioner alleges the following additional	1.53
7	specific facts: (mark appropriate sections)	1.56
•	Petitioner is the custodian of a minor child or	1:LN
. ,	children whose names and ages are as follows:	
10	Petitioner needs the exclusive use and possession	1:LN
11	of the dwelling that the parties share.	1.60
12	Petitioner is unable to obtain safe alternative	1:LN
13	housing because:	
14	Petitioner genuinely fears that respondent will	1:LN
15	abuse, remove, or hide the minor child or children from	1.64
16	petitioner because:	1
17	(g) Petitioner genuinely fears domestic violence by	1.66
18	respondent.	
19	(h) Petitioner seeks an injunction: (mark appropriate	1.68
20	section or sections)	1.69
21	Immediately restraining the respondent from	1.71
22	committing any acts of domestic violence.	1.72
23	Restraining the respondent from committing any	1:LN
24	acts of domestic violence.	1.75
25	Awarding to the petitioner the temporary exclusive	1.77
26	use and possession of the dwelling that the parties share or	1.79
27	excluding the respondent from the residence of the petitioner.	
28	Awarding temporary custody of, or temporary	1.82
29	visitation rights with regard to, the minor child or children	ļ
30	of the parties.	1.83
31		1
	2	

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1       Establishing temporary support for the minor child       2.         2       or children of the petitioner.       1:         3       Directing the respondent to participate in       1:         4       treatment or counseling services.       2.         5       Providing any terms the court deems necessary for       2.         6       the protection of a wictim of domestic wiolence, including any       2.         7       injunctione or directives to law enforcement agencies.       2.         8       Section 2. This act shall take effect October 1, 1987.       2.         9       ************************************	۱.
<ul> <li>3 Directing the respondent to participate in</li> <li>4 treatment or counseling services.</li> <li>5 Providing any terms the court deems necessary for</li> <li>6 the protection of a victim of domestic violence, including any</li> <li>7 injunctions or directives to law enforcement agencies.</li> <li>8 Section 2. This act shall take effect October 1, 1987.</li> <li>9</li> </ul>	1
<ul> <li>4 treatment or counseling services.</li> <li>5 Providing any terms the court deems necessary for</li> <li>6 the protection of a victim of domestic violence, including any</li> <li>7 injunctions or directives to law enforcement agencies.</li> <li>8 Section 2. This act shall take effect October 1, 1987.</li> <li>9</li> </ul>	7 14
<ul> <li>5 Providing any terms the court deems necessary for</li> <li>6 the protection of a victim of domestic violence, including any</li> <li>7 injunctions or directives to law enforcement agencies.</li> <li>8 Section 2. This act shall take effect October 1, 1987.</li> <li>9</li> </ul>	
6 the protection of a victim of domestic violence, including any 2. 7 injunctions or directives to law enforcement agencies. 8 Section 2. This act shall take effect October 1, 1987. 9	
7 injunctions or directives to law enforcement agencies. 2. 8 Section 2. This act shall take effect October 1, 1987. 2. 9	
8 Section 2. This act shall take effect October 1, 1987. 2.	
9	
*******************************	9
10	
HOUSE SUMMARY	
II Expands the protection of victims of domestic violence to	
12 include injunctive relief for any family member or cohabitant who is being victimized.	
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\_\_\_\_Reconsidered

\_\_\_\_Not Considered

## THE VOTE WAS:

FINAL BILL VOTE		SENATORS	PCS Wein	sten		'3	16-	26				
Aye	Nay		Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
x		Crenshaw	W									
x		Dudley	I									
x		Frank	Т									
x		Jenne	н									
x		Weinstein VICE CHAIRMAN	0									
х		Grant	U									
x		CHAIRMAN Langley	Т				·					
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7	0	TOTAL	x									
Aye	Nay		Aye	Nay	Ave	Nay	Aye	Nay	Aye	Nay	Aye	Nay

(Attach additional page if necessary)

Sponsor's aide appeared ( ) Other appearance ( )	Please Complete:	The key sponsor appeared A Senator appeared Sponsor's aide appeared Other appearance	( ( (	х	) ) )	
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SB 103

By Senator Fox

	1	A pill to be entitled
	2	An act relating to domestic violence; amending
	3	s. 415 601, F.S.; providing legislative intent,
	4	amending ss. 415.602, 741.30, F.S.; redefining
	5	"domestic violence" by expanding the definition
•	6	of what constitutes such violence and who
pag	7	constitutes a victim of such violence;
per.	8	providing remedies; providing for enforcement
	9	of those remedies and for penalties; amending
5 cents the pub	10	s. 741.29, F.S.; requiring that certain
	11	particulars be in a police report of an alleged
of 1	12	incident of domestic violence; providing an
ost ture	13	effective date.
	14	
er. Les	15	Be It Enacted by the Legislature of the State of Florida;
n aver the Leg	16	
at an	17	Section 1. Section 415.601, Florida Statutes, is
50	18	amended to read:
produced f	19	415.601 Domestic violence cases; treatment and
1 2	20	rehabilitation of victims and perpetrators; legislative
	21	intentThe Legislature recognizes that certain persons who
publication was he information	22	commit acts or threatened acts of violence against another
at 10 Drma	23	individual to whom such person is or was related by blood or
lici	24	marriage or otherwise legally related or with whom such person
	25	is or was lawfully residing assault;-batter;-or-otherwise
This for t	26	abuse-their-spouses and the persons subject to such domestic
с.	27	violence are in need of treatment and rehabilitation. It is
	28	the intent of the Legislature to assist in the development of
	29	domestic violence centers for the victims of domestic violence
	30	and to provide a place where the parties involved may be
	32	separated until trey can be properly assisted.

1 Section 2. Subsection (3) of section 415.602, Florida 2 Statutes, is amended to read: 3 415.602 Definitions of terms used in ss. 415.601-4 415.608.--As used in ss. 415.601-415.608, the term: 5 (3) "Domestic violence" means any act or threatened 6 act of violence which is committed by a person against arother 7 individual to whom such person is or was related by blood or 8 marriage or otherwise legally related or with whom such person is or was lawfully residing assault; - pattery; -er-criminal 9 10 sexual-conduct-by-a-person-against-the-person's-spouse. 11 Section 3. Subsection (2) of section 741.29, Florida 12 Statutes, is amended to read: 13 741.29 Investigations by law enforcement officers of incidents of domestic violence; notice to victims of legal 14 15 rights and remedies; reporting of incidents.~~ 16 (2) When a law enforcement officer investigates an 17 allegation that an incident of domestic violence has occurred, 18 whether or not an arrest is made, the officer shall make a 19 written police report of the alleged incident. The officer 20 shall submit the report to his supervisor or other person to 21 whom the employer's rules or policies require reports of 22 similar allegations of criminal activity to be made. This 23 report shall include specific descriptions of any injuries 24 observable on the victim or defendant, any indicators of 25 threatening behavior or intoxication on the part of the 26 abuser, and any alleged or observed use of weapons. Section 4. Subsection (1) of section 741.30, Florida 27 28 Statutes, is amended to read: 29 741.30 Action by spouse for injunction for protection

30 against domestic violence; powers and duties of court and 31 clerk of court; filing and form of petition for injunction;

1	notice and hearing; temporary injunction; issuance of
2	injunction; enforcement
3	(1) As used in this section, the term:
4	<pre>(a) "Domestic violence" means <u>any act or threatened</u></pre>
5	act of violence which is committed by a person against another.
6	individual to whom such person is or was related by blood or
7	marriage or otherwise legally related or with whom such person.
8	is or was lawfully residing. any-assault;-battery;-or-sexual
9	battery-by-a-person-against-the-person-s-spouse-
10	<pre>{b}~~~~Spouse=-means-a-person-to-whom-another-person-ts</pre>
11	married-or-a-person-to-whom-another-person-has-been-married
12	and-from-whom-such-person-is-now-separated-or-divorced:
13	Section 5. This act shall take effect October 1, 1986.
14	
15	
16	**********
17	SENATE SUMMARY
18	Redefines "domestic violence" to include certain
19	additional acts or threats and certain victims other than spouses. Provides remedies and penalties. Requires a police report about domestic violance to include
20	police report about domestic violence to include specified particulars.
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CS for SB 103

By the Committee on Health and Rehabilitative Services and Senator Fox-

		1]	A bill to be entitled
		2	An act relating to domestic violence; amending
		3	s. 415.601, F.S.; providing legislative intent;
		4	amending s. 415,602 and s. 741.30, F.S.:
		5	redefining "domestic violence" by changing the
Į	•	6	definition of what constitutes such violence
	abed	7	and who constitutes a victim of such violence;
	per .	8	
		9	defining the term "cohabitating"; conforming
ł	<b>U</b> .		provisions relating to actions for protection
i	the cu	10	against domestic violence; amending s. 741.29,
İ	pur o	11	P.S.; specifying that certain particulars be in
1	0 1	12	a police report of an alleged incident of
	cost ature	13	domestic violence; providing an effective date.
	Legas	14	
	ave.	15	Be It Enacted by the Legislature of the State of Florida:
	the t	16	
	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	17	Section 1. Section 415.601, Florida Statutes, is
		18	amended to read:
	oduced	19	415.601 Domestic violence cases; treatment and
	produced of members	20	rehabilitation of victims and perpetrators; legislative
	a n	21	intentThe Legislature recognizes that certain persons who
	lication wai information	22	commit or threaten to commit an assault, battery, or sexual
	et 10 ormu	23	battery against another individual to whom such person is or
	publication was he information	24	was married or with whom such person is or was cohabitating
	pub he	25	assault;-batter;-or-otherwise-abuse-their-spouses and the
	This for t	26	victims of persons-subject-to such domestic violence are in
l	2 ŭ	27	need of treatment and rehabilitation. It is the intent of the
		28	Legislature to assist in the development of domestic violence
		29	centers for the victims of domestic violence and to provide a
		30	place where the parties involved may be separated until they
		31	can be properly assisted.

1

1	Section 2. Subsection (3) of section 415.602, Florida
2	Statutes, is amended and subsection (6) is added to said
3	section to read:
4	415.602 Definitions of terms used in ss. 415.601-
5	415.608As used in ss. 415.601-415.608, the term:
6	(3) "Domestic violence" means any <u>act or threatened</u>
7	act of assault, battery, or sexual battery by a person against
8	another individual to whom such person is or was married or
9	with whom such person is or was cohabitating essentity-bettery;
10	Or-criminal-sexual-conduct-by-a-person-against-the-person's
11	spouse.
12	(6) "Cohabitating" means members of the opposite sex
13	living in a single dwelling unit as conjugal partners, though.
14	not legally married,
15	Section 3. Subsection (2) of section 741.29, Florida
16	Statutes, is amended to read:
17	741.29 Investigations by law enforcement officers of
18	incidents of domestic violence; notice to victims of legal
19	rights and remedies; reporting of incidents
20	(2) When a law enforcement officer investigates an
21	allegation that an incident of domestic violence has occurred,
22	whether or not an arrest is made, the officer shall make a
23	written police report of the alleged incident. The officer
24	shall submit the report to his supervisor or other person to
25	whom the employer's rules or policies require reports of
26	similar allegations of criminal activity to be made. This.
27	report shall include specific descriptions of any injuries.
28	observable on the victim or abuser, any indicators of
29	threatening behavior or intoxication on the part of the
30	abuser, and any alleged or observed use of weapons.
31	

2

1 Section 4. Subsection (1), paragraph (a) of subsection 2 (2), and paragraph (b) of subsection (4) of section 741.30, 3 Florida Statutes, are amended to read: 741.30 Action by-spouse for injunction for protection 4 5 against domestic violence; powers and duties of court and clerk of court; filing and form of petition for injunction; 6 7 notice and hearing; temporary injunction; issuance of 8 injunction; enforcement.-~ 9 (1) As used in this section, the term: "Domestic violence" means any act or threatened 10 (a) 11 act of assault, battery, or sexual battery by a person against another individual to whom such person is or was married or 12 13 with whom such person is or was cohabitating. any-assault7 battery;-or-sexuel-battery-by-a-person-against-the-person's 14 15 spouse; 16 (Ъ) "Cohabitating" means members of the opposite sex 17 living in a single dwelling unit as conjugal partners, though 18 not legally married. \*Spouse\*-means-a-person-to-whom-another 19 person-is-matried-or-a-person-to-vhom-enother-person-has-been 20 merried-and-from-whom-such-person-is-now-separated-or 21 divorced-22 (2) There is created a cause of action for an 23 injunction for protection in cases of domestic violence. 24 (a) Any person spouse who is the victim of any act of 25 domestic violence has standing in the circuit court to file a 26 sworn petition for an injunction for protection against 27 domestic violence. (4) 28 29 (b) The sworn petition may shall be in substantially 30 the following form: 31

2	PETITION FOR
2	INJUNCTION FOR PROTECTION
3	AGAINST DOMESTIC VIOLENCE
۰ł	
5	Before me, the undersigned authority, personally appeared
6	Petitioner (Name), who has been sworn and says that the
7	following statements are true:
8	(a) Petitioner resides at:(address)
9	(b) Respondent resides at:(address)
10	(c) Petitioner is or was married to the respondent or
11	is or was cohabitating with the respondent is-the-spouse-or
12	former-spouse-of-the-Petitioner.
13	(d) Petitioner has suffered domestic violence because
14	respondent has:
15	(e) Petitioner alleges the following additional
16	<pre>specific facts: (mark appropriate sections)</pre>
17	Petitioner is the custodian of a minor child or
18	children whose names and ages are as follows:
19	Petitioner needs the exclusive use and possession
20	of the dwelling that the parties share.
21	Petitioner is unable to obtain safe alternative
22	housing because:
23	Petitioner genuinely fears that respondent will
24	abuse, remove, or hide the minor child or children from
25	petitioner because:
26	(f) Petitioner genuinely fears domestic violence by
27	respondent.
28	(g) Petitioner seeks: (mark appropriate section or
29	sections)
30	An immediate injunction restraining the respondent
31	from committing any acts of domestic violence.

1 .... An injunction restraining the respondent from 2 committing any acts of domestic violence. 7 .... An injunction awarding to the petitioner the . temporary exclusive use and possession of the dwelling that the parties share or excluding the respondent from the 5 б residence of the petitioner. 7 .... An injunction awarding temporary custody of, or 8 temporary visitation rights with regard to, the minor child or ٩ children of the parties. 10 .... An injunction establishing temporary support for 11 the minor child or children or the petitioner. 12 .... An injunction directing the respondent to 13 participate in treatment or counseling services. 14 .... An injunction providing any terms the court deems 15 necessary for the protection of a victim of domestic violence. 16 including any injunctions or directives to law enforcement 17 agencies. 18 Section 5. This act shall take effect October 1. 1986. 19 20 21 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR Senate Bill 103

1. Changes the newly designated persons who may be victims of domestic violence from individuals to whom an abuser is or was related by blood or marriage, is otherwise legally related or with whom the abuser is or was legally residing to persons with

Defines "cohabiting:"

whom an abuser is or was cohabiting;

3. Amends existing law to allow the statutorily prescribed form for a petition for injunction for protection to be optional.

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## CS for CS for SB103

By the Committees on Judiciary-Civil and Health and Rehabilitative Services and Senator Fox-

	.1	
	1	A bill to be entitled
	2	An act relating to domestic violence; amending
	3	s. 415.601, F.S.; providing legislative intent;
	-4	amending s. 415.602 and s. 741.30, F.S.;
	5	redefining "domestic violence" by changing the
e	6	definition of what constitutes such violence;
page	7	conforming provisions relating to actions for
per 1c.	8	protection against domestic violence; amending
	9	s. 741.29, F.S.; specifying that certain
produced at an aver cost of 1.5 cents of members of the Legislature and the publ	10	particulars be in a police report of an alleged
	11	incident of domestic violence; providing an
	12	effective date.
	13	
	14	Be It Enacted by the Legislature of the State of Florida:
	15	
	16	Section 1. Section 415.601, Florida Statutes, is
	17	amended to read:
	18	415.601 Domestic violence cases; treatment and
	19	rehabilitation of victims and perpetrators; legislative
	20	intentThe Legislature recognizes that certain persons who
	21	assault, threaten to commit a battery or sexual battery
	22	against, or commit a battery or sexual battery against,
t io	23	another individual to whom such person is or was married
lication was information	24	assault;-batter;-or-otherwise-abuse-their-spouses and the
publication the informat	25	victims of persons-subject-to such domestic violence are in
This for t	26	need of treatment and rehabilitation. It is the intent of the
ξũ	27	Legislature to assist in the development of domestic violence
	28	centers for the victims of domestic violence and to provide a
	29	place where the parties involved may be separated until they
	30	can be properly assisted.
	31	
		- -

#### 308-18998-86

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1	Section 2. Subsection (3) of section 415.602, Florida
2	Statutes, is amended to read:
3	415.602 Definitions of terms used in ss. 415.601-
4	415.608As used in ss. 415.601-415.608, the term:
5	(3) "Domestic violence" means any <u>assault, threat to</u>
6	commit a battery or sexual battery, or battery or sexual
7	battery against another individual to whom such person is or
8	was married assault;-battery;-or-criminal-sexual-conduct-by-a
9	person-against-the-person's-spouse.
10	Section 3. Subsection (2) of section 741.29, Florida
11	Statutes, is amended to read:
12	741.29 Investigations by law enforcement officers of
13	incidents of domestic violence; notice to victims of legal
14	rights and remedies; reporting of incidents
15	(2) When a law enforcement officer investigates an
16	allegation that an incident of domestic violence has occurred,
17	whether or not an arrest is made, the officer shall make a
18	written police report of the alleged incident. The officer
19	shall submit the report to his supervisor or other person to
20	whom the employer's rules or policies require reports of
21	similar allegations of criminal activity to be made. This
22	report shall include specific descriptions of any injuries
23	observable on the victim or abuser, any indicators of
24	threatening behavior or intoxication on the part of the
25	abuser, and any alleged or observed use of weapons.
26	Section 4. Subsection (1), paragraph (a) of subsection
27	(2), and paragraph (b) of subsection (4) of section 741.30,
28	Florida Statutes, are amended to read:
29	741.30 Action by-spouse for injunction for protection
30	against domestic violence; powers and duties of court and
31	clerk of court: filing and form of petition for injunction:

1 notice and hearing; temporary injunction; issuance of 2 injunction; enforcement.--Э (1) As used in this section, the term: 4 (a) "Domestic violence" means any assault, threat to 5 commit a battery or sexual battery, or battery or sexual 6 battery against another individual to whom such person is or 7 was married. any-assault7-battery-or-sexual-battery-by-a 8 person-against-the-person1s-spouser 9 "Spouse" means a person to whom another person is (Ъ) 10 married or a person to whom another person has been married 11 and from whom such person is now separated or divorced. 12 (2) There is created a cause of action for an 13 injunction for protection in cases of domestic violence. 14 (a) Any person spouse who is the victim of any act of 15 domestic violence has standing in the circuit court to file a 16 sworn petition for an injunction for protection against 17 domestic violence. (4) 18 19 (b) The sworn petition may shall be in substantially 20 the following form: PETITION FOR 21 22 INJUNCTION FOR PROTECTION 23 AGAINST DOMESTIC VIOLENCE 24 Before me, the undersigned authority, personally appeared 25 26 Petitioner ... (Name) ..., who has been sworn and says that the 27 following statements are true: 28 (a) Petitioner resides at: ...(address)... 29 (Ь) Respondent resides at: ... (address) ... 30 (c) Petitioner is or was married to the respondent +s 31 the-spouse-or-former-spouse-of-the-Petitioner.

#### 308-1899A-86

#### CS for CS for SB 103

1	(d) Petitioner has suffered domestic violence because
2	respondent has:
3	(e) Petitioner alleges the following additional
4	<pre>specific facts: (mark appropriate sections)</pre>
5	Petitioner is the custodian of a minor child or
6	children whose names and ages are as follows:
7	Petitioner needs the exclusive use and possession
8	of the dwelling that the parties share.
9	Petitioner is unable to obtain safe alternative
10	housing because:
11	Petitioner genuinely fears that respondent will
12	abuse, remove, or hide the minor child or children from
13	petitioner because:
14	(f) Petitioner genuinely fears domestic violence by
15	respondent.
16	(g) Petitioner seeks: (mark appropriate section or
17	sections)
18	An immediate injunction restraining the respondent
19	from committing any acts of domestic violence.
20	An injunction restraining the respondent from
21	committing any acts of domestic violence.
22	An injunction awarding to the petitioner the
23	temporary exclusive use and possession of the dwelling that
24	the parties share or excluding the respondent from the
25	residence of the petitioner.
26	An injunction awarding temporary custody of, or
27	temporary visitation rights with regard to, the minor child or
28	children of the parties.
29	An injunction establishing temporary support for
30	the minor child or children or the petitioner.
31	

308-1899A-86

1	An injunction directing the respondent to
2	participate in treatment or counseling services.
3	An injunction providing any terms the court deems
4	necessary for the protection of a victim of domestic violence,
5	including any injunctions or directives to law enforcement
6	agencies.
7	Section 5. This act shall take effect October 1, 1986.
8	
9	*
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15	
16	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
17	Senate Bill 103
18	
19	Committee Substitute for SB 103 was amended to define domestic violence as "any act of assault or threatened act of
20	domestic violence as "any act of assault or threatened act of battery or sexual battery by a person against another individual to whom such person is or was married."
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### Florida House of Representatives - 1986

HB 456

By Representative Gordon

1	A bill to be entitled
2	An act relating to domestic violence, amending
3	s. 415.601, P S ; providing legislat.ve intent;
4	amending s. 415 602 and s 741.30, F.S.;
5	redefining "domestic violence" by expanding the
ь	definition of what constitutes such violence
٦	and who constitutes a victim of such violence,
8	defining the term "cohapitating"; providing
1 9	remedies; providing for enforcement of those
10	remedies and for penaities; amending s 741.29,
11	F.S.; requiring that certain particulars be in
12	a poince report of an alleged incident or
13	domestic violence, providing an effective date
14	
15	Se it Enacted by the Legislature of the State of Plorida.
16	
17	Section 1 Section 415.601, Florida Statutes, is
18	amended to read:
19	415.601 Domestic violence cases, treatment and
20	renabilitation of victims and perpetrators; legislative
21	intentThe Legislature recognizes that certain persons 🚛
22	commit acts or threatened acts of violence against another
23	individual to whom such person is or was related an plood or
24	marriage or otherwise legally related or with whom such person
25	<u>is cohabitating</u> assault;-matter;-or-otherwise-apuse-their
26	spouses and the persons subject to such domestic violence are
27	in need of treatment and rehabilitation. It is the intent of
28	the Legislature to assist in the development of domestic
29	violence centers for the victims of domestic violence and to
30	provide a place where the parties involved may be separated
31	until they can be properly assisted.
	2 3 4 5 6 7 8 9 .0 11 12 13 14 15 16 17 28 19 20 21 22 23 24 25 26 27 28 29 30

1	Section 2 Subsection (3) of section 415.602, Flor.da	1 25
2	Statutes, is amended and supsection (6) is added to said	1 25
3	section to read	
4	415.602 Definitions of terms used in ss. 4.5 col-	1 27
5	415 608As used in ss 415 602-415.608, the term.	1 23
6	(3) "Domestic violence" means any <u>act or threatened</u>	1.29
7	act of violence which is committed by a person against another	1.30
в	individual to whom such person is or was related by place or	
9	marriage or otherwise legally related or with whom such person	1 31
10	15 cohabitating assoutt;-bartery;-or-criminal-sexual-conduct	1 31.
**	by-a-person-against-the-person's-spouse.	
-2	(6) [Cohabitating" means members_of the opposite sex	l·lus
13	living in a single dwelling unit as conjugal partners, though	
14	not legally married.	
15	Section 3. Subsection (2) of section 741.29. Flor da	1 31 4
16	Statutes, is amended to read:	1 35
17	741.29 Investigations by law enforcement officers of	1.35
-8	incidents of domestic viblence, notice to victims of legal	1 38
19	rights and remedies; reporting of incidents	
50	(2) When a law enforcement officer investigates an	1 39
21	allegation that an incident of domestic violence has occurred,	1.40
22	whether or not an arrest is made, the officer shall make a	į.
23	written police report of the alleged incident. The officer	1 42
24	shall submit the report to his supervisor or other person to	
25	whom the employer's rules or policies require reports of	1 43
26	similar allegations of criminal activity to be made This	1. + 72
27	report small include specific descriptions of any injuries	
28	observable on the victim or defendant, any indicators of	1 45
29	threatening behavior or intoxication on the part of the	
30	abuser, and any alleged or observed use of weapons,	1 46
31		

1	Section 4 Subsection (1) of section 741 30, Florida	1 47
2	Statutes, .s amended to read.	- 48
3	741 30 Action by spouse for injunction for protection	1 50
4	against domestic violence; powers and duties of court and	
5	clerk of court, filing and form of petition for injunction,	1.51
6	notice and hearing; temporary injunction; issuance of	ĺ
100	injunction; enforcement	1 52
8	(1) As used in this section, the terms	1 53
9	<pre>+a+ 'Domestic villence' means any act or threatered</pre>	. 65
12	act of violence which is committed by a person against another	
-1	individual to whom such person is or was related by blood or	5e
12	marriage or otherwise legally related or with whom such person	1 57
- 3	<u>s_conscitating</u> ony-associt-pattery-for-sexual-battery-by-a	1:1os
- 4	e-solatest-the-persol <sup>1</sup> s-sposs-	1 59
- 5	tot"Spokse"-means-a-person-to-whom-another-person-ts	: 1cs
10	married-or-a-person-to-wrom-another-person-has-beemarried	1 61
- 7	and-from-whom-such-person-is-now-separated-or-divorced;	- 02
18	Section 5 This act shall take effect October 1, 1986	1 63
19		1
20	***********	
21	HOUSE SUMMARY	1
22	Redefines "domestic violence" to include certain	
23	additional acts or threats and tertain victims other than spouses. Defines the term "cohabitating " Provides	
24	remedies and penalties — Requires a police report about domestic violence to include specified particulars.	
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#### Florida House of Representatives - 1986

CS/HB 456

By Committee on Criminal Justice and Representative Gordon

	1	A bill to be entitled
	2	An act relating to domestic violence; amending
	3	s. 415.601, F.S.; providing legislative intent;
	4	amending £. 415.602 and \$. 741.30, F.S.;
	5	redefining "domestic violence" by changing the
	6	definition of what constitutes such violence
	7	and who constitutes a victim of such violence;
	8	defining the term "cohabitating"; conforming
15	9	provisions relating to actions for protection
of 1.5 cents per the information	10	against domestic violence; amending s. 741.29,
of 1.5 the info	11	F.S.; specifying that certain particulars be in
t the	12	a police report of an alleged incident of
at an average cost the Rules and for and the public.	13	domestic violence; providing an effective date.
erage c es and public.	14	
the Ruly	15	Be It Enacted by the Legislature of the State of Florida:
말 다 다 말 다 다	16	
publication was produced at an average cost c page in compliance with the Rules and for makers of the Legislature and the public.	17	Section 1. Section 415.601, Florida Statutes, is
i fance	18	amended to read:
the main and the m	19	<pre>415.601 Domestic violence cases; treatment and</pre>
icati ge in s of	20	rehabilitation of victims and perpetrators; legislative
E u E	21	intentThe Legislature recognizes that certain persons who
of mis	22	commit or threaten to commit an assault, battery, or sexual
	23	battery against another individual to whom such person is or
	24	was married or with whom such person is or was cohabitating
	25	esseuit7-better7-or-otherwise-abuse-their-spouses and the
	26	victing of persons-subject-to such domestic violence are in
	27	need of treatment and rehabilitation. It is the intent of the
	28	Legislature to assist in the development of domestic violence
	29	centers for the victims of domestic violence and to provide a
	30	place where the parties involved may be separated until they
	31	can be properly assisted.

CODING. Words in atmak through type are deletions from existing law, words <u>underliand</u> are additions.

1	Section 2. Subsection (3) of section 415.602, Florida	1.28
2	Statutes, is amended and subsection (6) is added to said	1.29
3	section to read:	
4	415.602 Definitions of terms used in ss. 415.601-	1.30
5	415.608As used in ss. 415.601-415.608, the term:	1.31
6	(3) "Domestic violence" means any <u>act or threatened</u>	1.32
7	act of assault, battery, or sexual battery by a person against	1.33
•	another individual to whom such person is or was married or	8
9	with whom such person is or was cohabitating essentity-bettery;	1:105
10	or-criminel-sexuel-conduct-by-a-porson-ageinst-the-person's	1.37
11	sponse.	
12	(6) "Cohabitating" means members of the opposite sex	1:1us
13	living in a single dwelling unit as conjugal partners, though	1.39
14	not legally married.	
15	Section 3. Subsection (2) of section 741.29, Florida	1.40
16	Statutes, is amended to read:	1.41
17	741.29 Investigations by law enforcement officers of	1.42
18	incidents of domestic violence; notice to victims of legal	1.44
19	rights and remedies; reporting of incidents	
20	(2) When a law enforcement officer investigates an	1.45
21	allegation that an incident of domestic violence has occurred,	1.46
22	whether or not an arrest is made, the officer shall make a	
23	written police report of the alleged incident. The officer	1.48
24	shall submit the report to his supervisor or other person to	
25	whom the employer's rules or policies require reports of	1.49
26	similar allegations of criminal activity to be made. This	1:lus
27	report shall include specific descriptions of any injuries	6
28	observable on the victim or sbuser, any indicators of	1.51
29	threatening behavior or intoxication on the part of the	
30	abuser, and any alleged or observed use of weapons,	1.52
31		

2

189-345-4-6

Section 4. Subsection (1), paragraph (a) of subsection [1.53] 1 2 (2), and paragraph (b) of subsection (4) of section 741.30, 1.54 Florida Statutes, are amended to read: 1.55 3 741.30 Action by-spouse for injunction for protection 1.57 5 against domestic violence; powers and duties of court and 1.58 6 clerk of court; filing and form of petition for injunction; notice and hearing; temporary injunction; issuance of 7 injunction; enforcement.--1.59 8 1.60 (1) As used in this section, the term: 1.62 10 (a) "Domestic violence" means any act or threatened act of assault, battery, or sexual battery by a person against 11 1.65 another individual to whom such person is or was married or 12 1:105 with whom such person is or was cohabitating. any-assault; 13 bettery-or-sexual-bettery-by-a-person-against-the-person's 14 1.67 15 SPOKS67 16 (b) "Cohabitating" means members of the opposite sex 1.68 1.70 17 living in a single dwelling unit as conjugal partners, though not legally married, "Spouse"-means-a-person-to-whom-enother 1:105 18 pergon-is-married-or-e-person-to-whom-enother-person-hes-been 1.72 19 married-and-from-whom-such-person-is-now-seperated-or 20 divorced. 1.73 21 22 (2) There is created a cause of action for an 1.74 1.76 23 injunction for protection in cases of domestic violence. 24 (a) Any person spouse who is the victim of any act of 1.78 25 domestic violence has standing in the circuit court to file a 1,80 26 sworn petition for an injunction for protection against 1.81 domestic violence. 27 1.82 (4) 28 1,82 29 (b) The sworn petition may shall be in substantially the following form: 1.83 30 31 PETITION FOR 1.84

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189-345-4-6
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1	INJUNCTION FOR PROTECTION	1.82
		1
2	AGAINST DOMESTIC VIOLENCE	1.82
3		0
- 4	Before me, the undersigned authority, personally appeared	1.83
5	Petitioner(Name), who has been sworn and says that the	1:u1
- 6	following statements are true:	
7	(a) Petitioner resides at:(address)	2.1
8	(b) Respondent resides at:(address)	2.3
9	(c) Petitioner is or was married to the respondent or	2.4
10	is or was cohabitating with the respondent to-the-spouse-or	2.5
11	former-spouse-of-the-Petitioner.	2.6
12	(d) Petitioner has suffered domestic violence because	2.7
13	respondent has:	
14	(e) Petitioner alleges the following additional	2.8
15	<pre>specific facts: (mark appropriate sections)</pre>	2.10
16	Petitioner is the custodian of a minor child or	1:LN
17	children whose names and ages are as follows:	
18	Petitioner needs the exclusive use and possession	1:LN
19	of the dwelling that the parties share.	2.14
20	Petitioner is unable to obtain safe alternative	1:LN
21	housing because:	
22	Petitioner genuinely fears that respondent will	1:18
23	abuse, remove, or hide the minor child or children from	2.18
24	petitioner because:	
25	(f) Petitioner genuinely fears domestic violence by	2.20
26	respondent.	1
27	(g) Petitioner seeks: (mark appropriate section or	2.23
28	sections)	
29	An immediate injunction restraining the respondent	1:11
30	from committing any acts of domestic violence.	2.25
31		
0	4	£1

1 .... An injunction restraining the respondent from 1:LN 2 committing any acts of domestic violence. 2.27 .... An injunction awarding to the petitioner the 3 1:LN 4 temporary exclusive use and possession of the dwelling that 2.28 5 the parties share or excluding the respondent from the 2.29 6 residence of the petitioner. 7 .... An injunction awarding temporary custody of, or 2.30 6 temporary visitation rights with regard to, the minor child or 2.31 2,32 9 children of the parties. 10 .... An injunction establishing temporary support for 1:LN 11 the minor child or children or the petitioner. 2.34 12 .... An injunction directing the respondent to 1:LN 13 participate in treatment or counseling services. 2.36 .... An injunction providing any terms the court deems 1:LN 14 15 necessary for the protection of a victim of domestic violence, 2.40 16 including any injunctions or directives to law enforcement 2.41 17 agencies. 18 Section 5. This act shall take effect October 1, 1986. 2.42 19 20 HOUSE SUMMARY 21 Redefines "domestic violence" to change the acts which constitute such violence and to include certain victims 22 other than spouses. Defines the term "cohabitating." 23 Requires a police report about domestic violence to include specified particulars. Conforms provisions 24 relating to actions for protection against domestic violence. 25 26 27 2 29 30 31

# HB 545

#### By Representative Gordon

	1	A bill to be entitled
	2	An act relating to domestic violence; amending
	3	s. 741.30, F.S.; providing a cause of action
	- 4	for injunctive relief to any family member or
	5	cohabitant who is being victimized; providing
	6	an effective date.
	7	
	8	Be It Enacted by the Legislature of the State of Plorida:
per lon	9	
of 1.5 cents per the information	10	Section 1. Paragraphs (e) and (f) of subsection (2) of
1.5 C	11	section 741.30, Florida Statutes, 1986 Supplement, are
	12	redesignated as paragraphs (f) and (g), respectively, and a
average cost Rules and for the public	13	new paragraph (e) is added to said subsection, to read:
publication was produced at an average of the page in compliance with the Rules and the page in the public embers of the Legislature and the public	14	741.30 Action by-spouse for injunction for protection
e Rul	15	against domestic violence; powers and duties of court and
This publication was produced at an single page in compliance with the of members of the Legislature and t	16	clerk of court; filing and form of petition for injunction;
duced e wit ature	17	notice and hearing; temporary injunction; issuance of
s pro lianc egisì	18	injunction; enforcement~
on wa comp	19	(2) There is created a cause of action for an
catio e in of i	20	injunction for protection against domestic violence.
e pag	21	(e) This cause of action for an injunction may be
This singl of me	22	sought between persons residing within a single dwelling unit
1. T	23	as though members of one household. No person shall be
	24	precluded from seeking injunctive relief pursuant to this
	25	chapter solely on the basis that such person is not a spouse.
	26	Section 2. This act shall take effect upon becoming a
	27	law.

## \*\*\*\*\*\*\*

HOUSE SUMMARY

Expands the protection of victims of domestic violence to include injunctive relief for any family member or cohabitant who is being victimized. By the Committee on Criminal Justice and Representatives Gordon, and Mackenzie

		A bill to be entitled
	2	An act relating to domestic violence; amending
	3	s. 741.30, F.S.; providing a cause of action
	4	for injunctive relief to any family member or
	5	cohabitant who is being victimized; redefining
	6	"domestic violence" by changing the definition
	7	of who constitutes a victim of such violence;
žs		conforming provisions relating to actions for
cents or nut	9	protection against domestic violence; providing
e i	10	an effective date.
55	11	
14 - 14 14 - 14 14 - 14	12	Be It Enacted by the Legislature of the State of Florida:
E sa	13	
A A A	14	Section 1. Paragraph (a) of subsection (1), paragraph
	15	(a) of subsection (2), and paragraph (b) of subsection (4) of
	16	section 741.30, Florida Statutes, 1986 Supplement, are
ns produced alfanne witt Legislature	17	amended, paragraphs (m) and (f) of subsection (2) of said
804	18	section are redesignated as paragraphs (f) and (g),
t of the	19	respectively, and a new paragraph (e) is added to said
Line a	20	subsection, to read:
	21	741.38 Action by-spouse for injunction for protection
	22	against dometic violence; powers and duties of court and
	23	clerk of court; filing and form of petition for injunction;
	24	sotice and hearing; temporary injunction; issuance of
	25	injunction; enforcement
	26	(1) As used in this section, the term:
	27	(a) "Domestic violence" means any assault, battery, or
	28	sexual battery by a person against the person's spouse $\underline{or}$
	29	against a person who is or was residing in the same single
	30	dwelling unit as though a member of the same household.
	31	

1	(2) There is created a cause of action for an	1.22
2	injunction for protection against domestic violence.	1.23
3	(a) Any spouse, or any person described in paragraph	1.24
- 4	(e), who is the victim of any act of domestic violence, or has	1.27
5	reasonable cause to believe he or she is about to become the	1
- 6	wictim of any act of domestic violence, has standing in the	1.29
7	circuit court to file a sworn petition for an injunction for	1.30
•	protection against domestic violence.	1.31
•	(e) This cause of action for an injunction may be	1:1us
10	sought between persons who are or were residing within a	1.33
11	single dwelling unit as though members of one household. No	1.34
12	person shall be precluded from seeking injunctive relief	
13	pursuant to this chapter solely on the basis that such person	1.35
14	is not a spouse.	
15	(4)	1.36
16	(b) The sworn petition shall be in substantially the	1.36
17	following form:	
18	PETITION FOR	1.37
19	INJUNCTION FOR PROTECTION	1.37
20		4
	AGAINST DOMESTIC VIOLENCE	1.37
21	NGRINST DURESTIC VIOLENCE	1.37
21 22	Before me, the undersigned authority, personally appeared	1.37
22	Sefore me, the undersigned authority, personally appeared	1.38
22 23	Before me, the undersigned authority, personally appeared Petitioner(Name), who has been sworn and says that the	1.38
22 23 24	Before me, the undersigned authority, personally appeared Petitioner(Name), who has been sworn and says that the following statements are true:	1.38 1:ul
22 23 24 25	Before me, the undersigned authority, personally appeared Petitioner(Name), who has been sworn and says that the following statements are true: (A) Petitioner resides at:(address)	1.38 1:ul 1:ul
22 23 24 25 26	<pre>Before me, the undersigned authority, personally appeared Petitioner(Name), who has been sworn and says that the following statements are true:     (A) Petitioner resides at:(address)     (b) Respondent resides at:(address)</pre>	1.38 1:u1 1:u1 1:u1
22 23 24 25 26 27	<pre>Before me, the undersigned authority, personally appeared Petitioner(Name), who has been sworn and says that the following statements are true:     (a) Petitioner resides at:(address)     (b) Respondent resides at:(address)     (c) Bespondent is the spouse or former spouse of the</pre>	1.38 1:u1 1:u1 1:u1 1:u1
22 23 24 25 26 27 28	<pre>Before me, the undersigned authority, personally appeared Petitioner(Name), who has been sworn and says that the following statements are true:     (a) Petitioner resides at:(address)     (b) Respondent resides at:(address)     (c) Bespondent is the spouse or former spouse of the petitioner or is or was residing within a single dwelling unit</pre>	1.38 1:u1 1:u1 1:u1 1.44 1.45
22 23 24 25 26 27 28 29	<pre>Before me, the undersigned authority, personally appeared Petitioner(Name), who has been sworn and says that the following statements are true:     (a) Petitioner resides at:(address)     (b) Respondent resides at:(address)     (c) Bespondent is the spouse or former spouse of the petitioner or is or was residing within a single dwelling unit</pre>	1.38 1:u1 1:u1 1:u1 1.44 1.45

2

189-372-4-7

1	(d) The following describes any other cause of action	1.47
2	currently pending between the petitioner and respondent: •••••	
3		1
4	(e) Petitioner has suffered or has reasonable cause to	1.51
5	fear domestic violence because respondent has:	
6	(f) Petitioner alleges the following additional	1.53
7	specific facts: (mark appropriate sections)	1.56
	Petitioner is the custodian of a minor child or	1:LW
9	children whose names and ages are as follows:	
10	Petitioner needs the exclusive use and possession	1:LN
11	of the dwelling that the parties share.	1.60
12	Petitioner is unable to obtain safe alternative	1.:LN
13	housing because:	1
14	Petitioner genuinely fears that respondent will	1:LM
15	abuse, remove, or hide the minor child or children from	1.64
16	petitioner because:	i i
17	(g) Petitioner genuinely fears domestic violence by	1.66
18	respondent.	
19	(h) Petitioner seeks an injunction: {mark appropriate	1.68
20	section or sections)	1.69
21	Immediately restraining the respondent from	1.71
22	committing any acts of domestic violence.	1.72
23	Restraining the respondent from committing any	1:LN
24	acts of domestic violence.	1.75
25	Awarding to the petitioner the temporary exclusive	1.77
26	use and possession of the dwelling that the parties share or	1.79
27	excluding the respondent from the residence of the petitioner.	1
28	Awarding temporary custody of, or temporary	1.82
29	visitation rights with regard to, the minor child or children	
30	of the parties.	1.83
31		

J	Establishing temperary support for the minor child	2.1
2	or children of the patitioner.	
3	Directing the respondent to participate in	1 : LM
- 4	treatment or counseling services."	2.3
5	Providing any terms the court deems necessary for	2.5
- 6	the protection of a victim of domestic violence, including any	2.7
7	injunctions or directives to law enforcement agencies.	2.8
* <b>•</b> ]	Section 2. This act shall take effect October 1, 1987.	2.9
9	*****	
10	BOUSE SUBGARY	
11	Expands the protection of victims of dessatic violence to	
12	include injunctive relief for any family ember or cohabitant who is being victimized.	
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#### Florida Senate - 1987

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**994** SB

By Senator Weinstein

1 A bill to be entitled 2 An act relating to domestic violence; amending 3 s. 741.30, F.S.; providing a cause of action for injunctive relief to any family member or 4 5 cohabitant who is being victimized; providing 6 an effective date. 7 Be It Enacted by the Legislature of the State of Florida. 8 9 Paragraphs (e) and (f) of subsection (2) of 10 Section 1. 11 section 741.30, Florida Statutes, 1986 Supplement, are redesignated as paragraphs (f) and (g), respectively, and a 12 13 new paragraph (e) is added to said subsection, to read: 14 741.30 Action by-spouse for injunction for protection 15 against domestic violence; powers and duties of court and 16 clerk of court; filing and form of petition for injunction; 17 notice and hearing; temporary injunction; issuance of injunction; enforcement.--18 (2)There is created a cause of action for an 19 20 injunction for protection against domestic violence. 21 (e) This cause of action for an injunction may be 22 sought between persons residing within a single dwelling unit as though members of one household. No person shall be 23 24 precluded from seeking injunctive relief pursuant to this 25 chapter solely on the basis that such person is not a spouse. 26 Section 2. This act shall take effect upon becoming a 27 law. \*\*\*\*\*\* 28 HOUSE SUMMARY 29 Expands the protection of victims of domestic violence to 30 include injunctive relief for any family member or cohabitant who is being victimized. 31 ì

## CS for SB 994

By the Committee on Judiciary-Civil and Senator Weinstein

1 A bill to be entitled 2 An act relating to domestic violence; amending 3 s. 741.30, F.S.; providing a cause of action for injunctive relief to any family member who 4 5 is being victimized; redefining "domestic б violence" by changing the definition of who page constitutes a victim of such violence, 7 per ų conforming provisions relating to actions for 8 1.5 cents of the publ 9 protection against domestic violence; providing 10 an effective date. 11 ature and j 12 Be It Enacted by the Legislature of the State of Florida: :ost 13 14 Paragraph (a) of subsection (1), paragraph Section 1. the Lev 15 (a) of subsection (2), and paragraph (b) of subsection (4) of 16 section 741.30, Florida Statutes, 1986 Supplement, are Ę t publication was produced at a the information of members of 17 amended, paragraphs (e) and (f) of subsection (2) of said 18 section are redesignated as paragraphs (f) and (g), 19 respectively, and a new paragraph (e) is added to said 20 subsection, to read. 21 741.30 Action by-sponse for injunction for protection against domestic violence, powers and duties of court and 22 23 clerk of court; filing and form of petition for injunction; 24 notice and hearing, temporary injunction; issuance of 25 injunction; enforcement, --This for 26 As used in this section, the term: (1)27 (a) "Domestic violence" means any assault, battery, or 28 sexual battery by a person against the person's spouse or 29 against any other person related by blood or marriage to the petitioner or respondent, who is or was residing in the same 30 31 single dwelling unit. 2

1	(2) There is created a cause of action for an
2	injunction for protection against domestic violence.
3	(a) Any spouse, or any person described in paragraph
4	(e), who is the victim of any act of domestic violence, or has
5	reasonable cause to believe he or she is about to become the
6	victim of any act of domestic violence, has standing in the
7	circuit court to file a sworn petition for an injunction for
8	protection against domestic violence.
9	(e) This cause of action for an injunction may be
10	sought between persons related by blood or marriage who are or
11	were residing within a single dwelling unit as though members
12	of one household. No person shall be precluded from seeking
13	injunctive relief pursuant to this chapter solely on the basis
14	that such person is not a spouse.
15	(4)
16	(b) The sworn petition shall be in substantially the
17	following form:
18	PETITION FOR
	INJUNCTION FOR PROTECTION
19	INSUNCTION FOR PROTECTION
19 20	AGAINST DOMESTIC VIOLENCE
20	
20 21	AGAINST DOMESTIC VIOLENCE
20 21 22	AGAINST DOMESTIC VIOLENCE Before me, the undersigned authority, personally appeared
20 21 22 23	AGAINST DOMESTIC VIOLENCE Before me, the undersigned authority, personally appeared Petitioner(Name), who has been sworn and says that the
20 21 22 23 24	AGAINST DOMESTIC VIOLENCE Before me, the undersigned authority, personally appeared Petitioner(Name), who has been sworn and says that the following statements are true:
20 21 22 23 24 25	AGAINST DOMESTIC VIOLENCE Before me, the undersigned authority, personally appeared Petitioner(Name), who has been sworn and says that the following statements are true: (a) Petitioner resides at:(address)
20 21 22 23 24 25 26	AGAINST DOMESTIC VIOLENCE Before me, the undersigned authority, personally appeared Petitioner(Name), who has been sworn and says that the following statements are true: (a) Petitioner resides at:(address) (b) Respondent resides at:(address)
20 21 22 23 24 25 26 27	AGAINST DOMESTIC VIOLENCE Before me, the undersigned authority, personally appeared Petitioner(Name), who has been sworn and says that the following statements are true: (a) Petitioner resides at:(address) (b) Respondent resides at:(address) (c) Respondent is the spouse or former spouse of the
20 21 22 23 24 25 26 27 28	AGAINST DOMESTIC VIOLENCE Before me, the undersigned authority, personally appeared Petitioner(Name), who has been sworn and says that the following statements are true: (a) Petitioner resides at:(address) (b) Respondent resides at:(address) (c) Respondent is the spouse or former spouse of the petitioner or is any other person related by blood or marriage

1 (d) The following describes any other cause of action currently pending between the petitioner and respondent 2 . . . 3 .. .. .... .... . .. (e) Petitioner has suffered or has reasonable cause to 4 fear domestic violence because respondent has: 5 . . . . . . . . . . . . . . (f) Petitioner alleges the following additional 6 specific facts: (mark appropriate sections) 7 ... Petitioner is the custodian of a minor child or 8 children whose names and ages are as follows: 9 ..... ... Petitioner needs the exclusive use and possession 10 of the dwelling that the parties share. 11 12 .... Petitioner is unable to obtain safe alternative 13 housing because ..... 14 . .. Petitioner genuinely fears that respondent will abuse, remove, or hide the minor child or children from 15 16 petitioner because: ..... 17 (0) Petitioner genuinely fears domestic violence by 18 respondent. 19 (h) Petitioner seeks an injunction: (mark appropriate 20 section or sections) .... Immediately restraining the respondent from 21 committing any acts of domestic violence. 22 23 .... Restraining the respondent from committing any 24 acts of domestic violence. 25 .... Awarding to the petitioner the temporary exclusive 25 use and possession of the dwelling that the parties share or 27 excluding the respondent from the residence of the petitioner. 28 .... Awarding temporary custody of, or temporary visitation rights with regard to, the minor child or children 29 30 of the parties. 31

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1	Establishing temporary support for the minor child
2	or children of the petitioner.
3	Directing the respondent to participate in
4	treatment or counseling services.
5	Providing any terms the court deems necessary for
6	the protection of a victim of domestic violence, including any
7	injunctions or directives to law enforcement agencies.
8	Section 2. This act shall take effect October 1, 1987.
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14	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
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18	The committee substitute would allow persons related by blood
19	or marriage who are or were residing within the same single dwelling unit to petition for an injunction for protection
20	against domestic violence.
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