

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Mayfield offered the following:

Amendment

5 Remove lines 23-91 and insert:

6 Section 1. Paragraph (c) of subsection (5) of section
 7 741.30, Florida Statutes, is amended to read:

8 741.30 Domestic violence; injunction; powers and duties of
 9 court and clerk; petition; notice and hearing; temporary
 10 injunction; issuance of injunction; statewide verification
 11 system; enforcement; public records exemption.-

12 (5)

13 (c) Any such ex parte temporary injunction is ~~shall be~~
 14 effective for a fixed period not to exceed 15 days. However, if
 15 a final injunction is issued, but has not been served on the
 16 respondent, the temporary injunction remains in full force and
 17 effect until the final injunction is served on the respondent.

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18 In no event shall the temporary injunction extend beyond the
19 expiration date of the final injunction, if such a date is
20 designated.

21 (d) A full hearing, as provided by this section, shall be
22 set for a date no later than the date when the ex parte
23 temporary injunction ceases to be effective. The court may grant
24 a continuance of a the hearing, before or during the a hearing,
25 for good cause shown by any party. The need to obtain service of
26 process constitutes good cause. An ~~, which shall include a~~
27 ~~continuance to obtain service of process. Any injunction shall~~
28 be extended so that it remains ~~if necessary to remain~~ in full
29 force and effect during any period of continuance.

30 Section 2. Paragraph (c) of subsection (6) of section
31 784.046, Florida Statutes, is amended to read:

32 784.046 Action by victim of repeat violence, sexual
33 violence, or dating violence for protective injunction; dating
34 violence investigations, notice to victims, and reporting;
35 pretrial release violations; public records exemption.—

36 (6)

37 (c) Any such ex parte temporary injunction ~~is shall be~~
38 effective for a fixed period not to exceed 15 days. An ~~However,~~
39 ~~an~~ ex parte temporary injunction granted under subparagraph
40 (2)(c)2. is effective for 15 days following the date the
41 respondent is released from incarceration. However, if a final
42 injunction is issued, but has not been served on the respondent,
43 the temporary injunction remains in full force and effect until

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44 the final injunction is served on the respondent. In no event
45 shall the temporary injunction extend beyond the expiration date
46 of the final injunction, if such a date is designated.

47 (d) A full hearing, as provided by this section, shall be
48 set for a date no later than the date when the ex parte
49 temporary injunction ceases to be effective. The court may grant
50 a continuance of a the ex parte injunction and the full hearing,
51 before or during the a hearing, for good cause shown by any
52 party. The need to obtain service of process constitutes good
53 cause. An injunction shall be extended so that it remains in
54 full force and effect during any period of continuance.

55 Section 3. Paragraph (c) of subsection (5) of section
56 784.0485, Florida Statutes, is amended to read:

57 784.0485 Stalking; injunction; powers and duties of court
58 and clerk; petition; notice and hearing; temporary injunction;
59 issuance of injunction; statewide verification system;
60 enforcement.-

61 (5)

62 (c) Any such ex parte temporary injunction is effective
63 for a fixed period not to exceed 15 days. However, if a final
64 injunction is issued, but has not been served on the respondent,
65 the temporary injunction remains in full force and effect until
66 the final injunction is served on the respondent. In no event
67 shall the temporary injunction extend beyond the expiration date
68 of the final injunction, if such a date is designated.

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69 (d) A full hearing, as provided in this section, shall be
70 set for a date no later than the date when the ex parte
71 temporary injunction ceases to be effective. The court may grant
72 a continuance of a the hearing, before or during the a hearing
73 for good cause shown by any party. The need to obtain service of
74 process constitutes good cause, ~~which shall include a~~
75 ~~continuance to obtain service of process.~~ An injunction shall be
76 extended so that it remains ~~if necessary to remain~~ in full force
77 and effect during any period of continuance.

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