

Amendment No. 11

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN _____ (Y/N)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

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Berman offered the following:

3
4 **Amendment**

5 Remove lines 539-582 and insert:

6 firearm and ammunition for 1 year upon a showing by clear and
7 convincing evidence that the person remains a credible threat of
8 committing violence against another person. In determining
9 whether there is such clear and convincing evidence, the court
10 shall consider all relevant factors, including, but not limited
11 to:

12 1. Whether the person has:

13 a. A history of threats, harassment, stalking, physical
14 abuse, or violence.

15 b. A criminal history involving violence or the threat of
16 violence.

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17 c. Intentionally attempted to harm or intentionally harmed
18 another person.

19 d. Threatened to harm, either orally or in writing,
20 another person.

21 e. Used, or has threatened to use, any weapons such as
22 firearms or knives in a violent manner.

23 f. Intentionally injured or killed an animal.

24 2. The person's medical and mental health history.

25 3. The person's school disciplinary history.

26 4. Whether the person engaged in any other behavior or
27 conduct that leads the law enforcement agency to have reasonable
28 cause to believe that the person poses a significant danger of
29 causing imminent injury to others.

30 (b) The clerk of the court shall furnish a copy of the
31 temporary injunction to the sheriff or a law enforcement agency
32 of the county where the person resides or can be found, who
33 shall serve it upon the person as soon thereafter as possible.
34 Notwithstanding any other provision of law, the chief judge of
35 each circuit, in consultation with the appropriate sheriff, may
36 authorize a law enforcement agency within the jurisdiction to
37 effect service. A law enforcement agency serving an injunction
38 pursuant to this subsection shall use service procedures
39 consistent with those of the sheriff.

40 (c) The law enforcement agency that obtains the temporary
41 injunction shall report the date and time of issuance and

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42 person's identifying information, including his or her name,
43 age, date of birth, and last known address, to the Department of
44 Law Enforcement. The department shall include such information
45 in the Florida Crime Information Center database. A person
46 subject to a temporary injunction under this subsection may not
47 own, possess, or purchase a firearm while the injunction is in
48 effect.

49 (4) At the expiration of the 1-year period, the agency