

Summary of CS/CS/SB 526 by Senator Bradley
Sexual Offenses
3/3/2014

- Authorizes orders limiting testimony in open court and in depositions of a person who was under 16 year of age when he or she was the victim of or a witness to a specified sex offense.
- Authorizes the court to set other conditions appropriate to taking the testimony of this sexual offense victim or witness, including testifying with the assistance of a registered service or therapy animal.
- Prospectively eliminates time limitations to the prosecution of lewd battery and lewd molestation if the victim was younger than 16 years of age at the time the offense was committed, unless the offender was less than 18 years of age and no more than 4 years older than the victim at the time of the offense.
- Increases the felony degree of certain sex offenses involving sexual battery, lewd battery, and lewd molestation when the offenses are committed by an adult upon a minor or involve a repeat sex offense, which has the effect of creating longer sentences.
- Provides for a mandatory minimum sentence of 50 years to life for dangerous sexual felony offenders (current law: 25 years to life).
- Revises the definition of “sexual activity” for the offense of unlawful sexual activity with a 16 or 17-year old to include penetration by an object (consistent with definition of “sexual battery”).
- Provides that voyeurism includes secretly observing another person’s intimate areas in which the person has a reasonable expectation of privacy, when the person is in a public or private dwelling, structure, or conveyance.
- Increases the minimum sentence length of adult-on-minor sex offenders sentenced under the Criminal Punishment Code by creating a new sentence point multiplier.
- Prohibits incentive gain-time for offenders convicted of certain sexual offenses.

- Requires courts to order community supervision by means of a split sentence for certain sex offenders after their release from prison.
- Suspends, or tolls, the post-release supervision of offenders while in the custody of the Department of Children and Families as part of the civil commitment process to ensure that the post-release supervision portion of the sentence is not eliminated.
- Prohibits offenders on community supervision who have committed any specified sex offense from viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating material, regardless of whether it is related to their deviant behavior pattern (current law requires material to be related to the offender's deviant behavior pattern).
- Authorizes the court to require a sex offender who is on probation or community control to undergo an evaluation by a qualified practitioner to determine whether the offender needs sexual offender treatment.