

By the Committee on Crime & Punishment and Representatives Fasanò, Ball, Fischer, Feeney, Argenziano, Flanagan and Byrd

1 A bill to be entitled
2 An act relating to time limitations for sexual
3 battery prosecutions; amending s. 775.15, F.S.;
4 providing an unlimited time period for the
5 commencement of prosecutions for first or
6 second degree felony violations of s. 794.011,
7 F.S., under certain circumstances; providing an
8 effective date.

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

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12 Section 1. Subsections (1) and (7) of section 775.15,
13 Florida Statutes, 1996 Supplement, are amended to read:

14 775.15 Time limitations.--

15 (1)(a) A prosecution for a capital felony, a life
16 felony, or a felony that resulted in a death may be commenced
17 at any time. If the death penalty is held to be
18 unconstitutional by the Florida Supreme Court or the United
19 States Supreme Court, all crimes designated as capital
20 felonies shall be considered life felonies for the purposes of
21 this section, and prosecution for such crimes may be commenced
22 at any time.

23 (b) Except as otherwise provided in subsection (7), a
24 prosecution for a first or second degree felony violation of
25 s. 794.011, if such crime is reported to a law enforcement
26 agency within 72 hours after commission of the crime, may be
27 commenced at any time. If such crime is not reported within 72
28 hours after the commission of the crime, the prosecution must
29 be commenced within the time periods prescribed in subsection
30 (2).

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