

Bill No. CS/HB 183, 1st Eng.

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Dawson-White moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 3, between lines 2 and 3,		
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16	insert:		
17	Section 3. Subsection (1) of section 775.085, Florida		
18	Statutes, 1998 Supplement, is amended to read:		
19	775.085 Evidencing prejudice while committing offense;		
20	enhanced penalties.--		
21	(1)(a) The penalty for any felony or misdemeanor shall		
22	be reclassified as provided in this subsection if the		
23	commission of such felony or misdemeanor evidences prejudice		
24	based on the race, color, ancestry, ethnicity, religion,		
25	sexual orientation, national origin, mental or physical		
26	disability, <u>gender</u> , or advanced age of the victim:		
27	1. A misdemeanor of the second degree shall be		
28	punishable as if it were a misdemeanor of the first degree.		
29	2. A misdemeanor of the first degree shall be		
30	punishable as if it were a felony of the third degree.		
31	3. A felony of the third degree shall be punishable as		

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1 if it were a felony of the second degree.

2 4. A felony of the second degree shall be punishable
3 as if it were a felony of the first degree.

4 5. A felony of the first degree shall be punishable as
5 if it were a life felony.

6 (b) As used in paragraph (a), the term:

7 1. "Mental or physical disability" means that the
8 victim suffers from a condition of physical or mental
9 incapacitation due to a developmental disability, organic
10 brain damage, or mental illness, and has one or more physical
11 or mental limitations that restrict the victim's ability to
12 perform the normal activities of daily living.

13 2. "Advanced age" means that the victim is older than
14 65 years of age.

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16 (Redesignate subsequent sections.)

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19 ===== T I T L E A M E N D M E N T =====

20 And the title is amended as follows:

21 On page 1, line 6, after the semicolon

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23 insert:

24 amending s. 775.085, F.S.; including gender
25 within a list of prejudices considered to be an
26 element of a hate crime;

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