

1 A bill to be entitled
2 An act relating to trial testimony concerning
3 sexual offenses; amending s. 918.16, F.S.;
4 requiring that the court clear the courtroom at
5 the request of a victim during his or her
6 testimony concerning a sexual offense,
7 regardless of the victim's age or mental
8 capacity; providing certain exceptions;
9 providing an effective date.

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

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13 Section 1. Section 918.16, Florida Statutes, is
14 amended to read:

15 918.16 Sex offenses; testimony of person under age 16
16 or person with mental retardation; testimony of victim;
17 courtroom cleared; exceptions.--

18 (1) Except as provided in subsection (2), in the trial
19 of any case, civil or criminal, when any person under the age
20 of 16 or any person with mental retardation as defined in s.
21 393.063(44)~~s. 393.063(41)~~ is testifying concerning any sex
22 offense, the court shall clear the courtroom of all persons
23 except parties to the cause and their immediate families or
24 guardians, attorneys and their secretaries, officers of the
25 court, jurors, newspaper reporters or broadcasters, court
26 reporters, and at the request of the victim, victim or
27 witness advocates designated by the state attorney's office.

28 (2) When the victim of a sex offense is testifying
29 concerning that offense in any civil or criminal trial, the
30 court shall clear the courtroom of all persons upon the
31 request of the victim, regardless of the victim's age or

1 mental capacity, except that parties to the cause and their
2 immediate families or guardians, attorneys and their
3 secretaries, officers of the court, jurors, newspaper
4 reporters or broadcasters, court reporters, and, at the
5 request of the victim, victim or witness advocates designated
6 by the state attorney may remain in the courtroom.

7 Section 2. This act shall take effect July 1, 1999.
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