

Bill No. CS for SB's 54 & 902

Amendment No. 1

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Fiscal Policy recommended the following amendment:

**Senate Amendment**

On page 3, lines 3-13, delete all of those lines

and insert:

775.082 Felony committed against a family member; enhanced penalties--

(1) Except as provided in subsection (2), the penalty for any forcible felony, as defined in s. 776.08, shall be reclassified as provided in this section if the victim is related by lineal consanguinity to the defendant or if the victim is the defendant's legal guardian.

(a) A felony of the third degree shall be punishable as if it were a felony of the second degree.

(b) A felony of the second degree shall be punishable as if it were a felony of the first degree.

(c) A felony of the first degree shall be punishable as if it were a life felony.

(2) This section shall not apply to:

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- 1           (a) A sexual battery under s. 794.011(8);
- 2           (b) Incest under s. 826.04;
- 3           (c) Any forcible felony in which lineal consanguinity
- 4 is an element of the offense;
- 5           (d) Any offense in which the victim's relationship to
- 6 the defendant would be subject to a greater penalty under
- 7 another section.

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