

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Goodlette offered the following:

**Amendment (with title amendment)**

On page 4, line 1,

and insert: Section 3. Subsection (7) of section 921.0021, Florida Statutes, is amended to read:

921.0021 Definitions.--As used in this chapter, for any felony offense, except any capital felony, committed on or after October 1, 1998, the term:

(7)(a) "Victim injury" means the physical injury or death suffered by a person or animal, in an animal cruelty case, as a direct result of the primary offense, or any additional offense, for which an offender is convicted and which is pending before the court for sentencing at the time of the primary offense.

(b) Except as provided in paragraph (c) or paragraph (d),

1. If the conviction is for an offense involving sexual contact that includes sexual penetration, the sexual penetration must be scored in accordance with the sentence

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1 points provided under s. 921.0024 for sexual penetration,  
2 regardless of whether there is evidence of any physical  
3 injury.

4 2. If the conviction is for an offense involving  
5 sexual contact that does not include sexual penetration, the  
6 sexual contact must be scored in accordance with the sentence  
7 points provided under s. 921.0024 for sexual contact,  
8 regardless of whether there is evidence of any physical  
9 injury.

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11 If the victim of an offense involving sexual contact suffers  
12 any physical injury as a direct result of the primary offense  
13 or any additional offense committed by the offender resulting  
14 in conviction, such physical injury must be scored separately  
15 and in addition to the points scored for the sexual contact or  
16 the sexual penetration.

17 (c) The sentence points provided under s. 921.0024 for  
18 sexual contact or sexual penetration may not be assessed for a  
19 violation of s. 944.35(3)(b)2.

20 (d) If the conviction is for the offense described in  
21 s. 872.06, the sentence points provided under s. 921.0024 for  
22 sexual contact or sexual penetration may not be assessed.

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

26 And the title is amended as follows:

27 On page 1, line 29,  
28 remove from the title of the bill: all of said line

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30 and insert in lieu thereof:

31 or cat pelt; providing penalties; amending s.

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921.0021, F.S.; revising the definition of the  
term "victim injury" to include animals in  
certain cases; providing an