

By Senator Saunders

25-305-01

1 A bill to be entitled
2 An act relating to the Criminal Punishment
3 Code; amending s. 921.0021, F.S.; revising the
4 definition of the term "victim injury" to
5 include animals in certain cases; providing an
6 effective date.

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

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10 Section 1. Subsection (7) of section 921.0021, Florida
11 Statutes, is amended to read:

12 921.0021 Definitions.--As used in this chapter, for
13 any felony offense, except any capital felony, committed on or
14 after October 1, 1998, the term:

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

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

23 1. If the conviction is for an offense involving
24 sexual contact that includes sexual penetration, the sexual
25 penetration must be scored in accordance with the sentence
26 points provided under s. 921.0024 for sexual penetration,
27 regardless of whether there is evidence of any physical
28 injury.

29 2. If the conviction is for an offense involving
30 sexual contact that does not include sexual penetration, the
31 sexual contact must be scored in accordance with the sentence

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

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5 If the victim of an offense involving sexual contact suffers
6 any physical injury as a direct result of the primary offense
7 or any additional offense committed by the offender resulting
8 in conviction, such physical injury must be scored separately
9 and in addition to the points scored for the sexual contact or
10 the sexual penetration.

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

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

17 Section 2. This act shall take effect upon becoming a
18 law.

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21 SENATE SUMMARY

22 Revises the definition of the term "victim injury" to
23 include animals, in animal cruelty cases, for purposes of
24 the Criminal Punishment Code.

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