

By the Committee on Criminal Justice; and Senator Crist

307-1993-02

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A bill to be entitled
An act relating to crime victims; creating s.
960.0021, F.S.; providing legislative findings;
providing for an advisement from the court to
the victim of a crime with respect to the
rights of victims; providing that such
advisement is only for the benefit of crime
victims; providing that failure to provide such
advisement shall not affect the validity of any
hearing, conviction, or sentence; providing
that the circuit court administrator will make
certain information available to the Clerk of
Court; providing an effective date.

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

Section 1. Section 960.0021, Florida Statutes, is
created to read:

960.0021 Legislative intent; advisement to
victims.--The Legislature finds that in order to ensure that
crime victims can effectively understand and exercise their
rights under s. 16, Art. I of the State Constitution, and to
promote law enforcement that considers the interests of crime
victims, victims must be properly advised in the courts of
this state. Any judge who presides over a criminal docket at
which accused persons are arraigned or sentenced, or when
cases are considered for case management, shall announce the
following advisement:

1 If you are the victim of a crime with a case
2 pending before this court, you are advised that
3 you have the right:
4 (1) To be informed.
5 (2) To be present.
6 (3) To be heard, when relevant, at all
7 crucial stages of criminal proceedings to the
8 extent that these rights do not interfere with
9 the constitutional rights of the accused.
10 (4) To receive advance notification, when
11 possible, of judicial proceedings and
12 notification of scheduling changes, pursuant to
13 section 960.001, Florida Statutes.
14 (5) To seek crimes compensation and
15 restitution.
16 (6) To consult with the state attorney's
17 office in certain felony cases regarding the
18 disposition of the case.
19 (7) To make an oral or written
20 victim-impact statement at the time of
21 sentencing of a defendant.
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23 For further information regarding additional
24 rights afforded to victims of crime, you may
25 contact the state attorney's office or obtain a
26 listing of your rights from the Clerk of Court.
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28 The circuit court administrator shall provide victim's rights
29 information, as provided in s. 960.001(1)(o), to the Clerk of
30 the Court.
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1 This section is only for the benefit of crime victims.
2 Accordingly, a failure to comply with this section shall not
3 affect the validity of any hearing, conviction, or sentence.

4 Section 2. This act shall take effect July 1, 2002.

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6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 Senate Bill 1974

- 9 1. Requires the circuit court administrator to provide the
10 clerk of the court with victim rights information.
11 2. Provides a statement that failure of the court to advise
12 a victim of his or her rights does not affect the
13 validity of the sentence, conviction, or hearing.
14 3. Changes the effective date to July 1, 2002 (was upon
15 becoming law).
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