

By Senator Crist

13-1606-02

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A bill to be entitled
An act relating to controlled substances;
amending s. 893.10, F.S.; providing that
possession of a controlled substance gives rise
to a rebuttable presumption that the possessor
knew the illicit nature of the substance;
providing an effective date.

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

Section 1. Subsection (3) is added to section 893.10,
Florida Statutes, is amended to read:

893.10 Burden of proof.--

(3) In the case of a person charged with any offense
defined in this chapter, the possession of a controlled
substance, whether actual or constructive, shall give rise to
a rebuttable presumption that the processor knew of the
illicit nature of the substance.

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

SENATE SUMMARY

Creates a rebuttable presumption that, when a person
charged with a violation of chapter 893, Florida
Statutes, was in possession of a controlled substance,
the person knew of the illicit nature of the substance.