



HB 1585

2003

1 A bill to be entitled
2 An act relating to time limitations for criminal
3 prosecutions; amending s. 775.15, F.S.; providing a longer
4 statute of limitations for certain criminal offenses;
5 providing an exception; providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
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9 Section 1. Subsections (1) and (7) of section 775.15,
10 Florida Statutes, are amended to read:

11 775.15 Time limitations.--

12 (1)(a) A prosecution for a capital felony, a life felony,
13 or a felony that resulted in a death may be commenced at any
14 time. A prosecution for a felony that resulted in injury to any
15 person, when such felony arises from the use of a "destructive
16 device," as defined in s. 790.001, may be commenced within 10
17 years. If the death penalty is held to be unconstitutional by
18 the Florida Supreme Court or the United States Supreme Court,
19 all crimes designated as capital felonies shall be considered
20 life felonies for the purposes of this section, and prosecution
21 for such crimes may be commenced at any time.

22 ~~(b) Except as otherwise provided in subsection (7), a~~
23 ~~prosecution for a first or second degree felony violation of s.~~
24 ~~794.011, if such crime is reported to a law enforcement agency~~
25 ~~within 72 hours after commission of the crime, may be commenced~~
26 ~~at any time. If such crime is not reported within 72 hours after~~
27 ~~the commission of the crime, the prosecution must be commenced~~
28 ~~within the time periods prescribed in subsection (2).~~



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29 ~~(b)(e)~~ A prosecution for perjury in an official proceeding
30 that relates to the prosecution of a capital felony may be
31 commenced at any time.

32 (7) If the victim of a violation of s. 794.011, former s.
33 794.05, Florida Statutes 1995, s. 800.04, or s. 826.04 is under
34 the age of 18, the applicable period of limitation, if any, does
35 not begin to run until ~~the victim has reached the age of 18 or~~
36 ~~the violation is reported to a law enforcement agency or other~~
37 ~~governmental agency, whichever occurs earlier.~~ Such law
38 enforcement agency or other governmental agency shall promptly
39 report such allegation to the state attorney for the judicial
40 circuit in which the alleged violation occurred. The prosecution
41 must be commenced no later than 4 years after the report. ~~If the~~
42 ~~offense is a first or second degree felony violation of s.~~
43 ~~794.011, and the crime is reported within 72 hours after its~~
44 ~~commission, paragraph (1)(b) applies.~~ This subsection applies to
45 any such offense except an offense the prosecution of which
46 would have been barred by former s. 775.15(2), Florida Statutes
47 1983-subsection (2) on or before December 31, 1984, or former s.
48 775.15(2) and (7), Florida Statutes 2002 on or before July 1,
49 2003.

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