

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Barreiro offered the following:

Amendment (with title amendment)

Remove line(s) 56-80, and insert:

remorse.

(k) At the time of the offense the defendant was too young to appreciate the consequences of the offense.

(l) The defendant is to be sentenced as a youthful offender.

(3) The defendant's substance abuse or addiction, including intoxication at the time of the offense, is not a mitigating factor under subsection (2) and does not, under any circumstances, justify a downward departure from the permissible sentencing range.

(4) In cases in which the victim is under 16 years of age, the fact that the victim was an initiator, willing participant, aggressor, or provoker of the incident, or consented to the

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28 incident, is not a mitigating factor to any offense contained in
 29 chapter 794 or s. 800.04 in which consent is not a defense if
 30 the offender was more than 4 years older than the victim at the
 31 time of the offense. Such fact, under the circumstances provided
 32 in this subsection, shall not justify a downward departure from
 33 the permissible sentencing range.

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

37 Remove line(s) 8-11, and insert:
 38 providing an effective date.