



HB 0573

2003

1 A bill to be entitled

2 An act relating to sexual battery; providing a popular
3 name; amending s. 794.011, F.S.; prohibiting a prosecutor
4 who charges a person with certain sexual battery
5 violations from presenting or entering into a plea bargain
6 for a term of imprisonment of less than a certain time
7 period with the accused person; providing that sexual
8 predators who commit a sexual battery against certain
9 victims shall be sentenced to life in prison without the
10 possibility of parole or gain-time; providing an effective
11 date.

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

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15 Section 1. This act shall be known by the popular name the
16 "Sexual Predator Elimination Act."

17 Section 2. Paragraph (a) of subsection (2) of section
18 794.011, Florida Statutes, is amended, and subsection (11) is
19 added to said section, to read:

20 794.011 Sexual battery.--

21 (2)(a) A person 18 years of age or older who commits
22 sexual battery upon, or in an attempt to commit sexual battery
23 injures the sexual organs of, a person less than 12 years of age
24 commits a capital felony, punishable as provided in ss. 775.082
25 and 921.141. Any prosecutor who charges a person with a
26 violation of this paragraph shall not present or enter into any
27 plea bargain for a term of imprisonment of less than 15 years
28 with the accused.

29 (11) Any person 18 years of age or older who is a sexual
30 predator as set forth in s. 775.21 and who commits a capital,



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31 life, or first degree sexual battery upon a child under 12 years
32 of age shall, upon conviction, be sentenced to life in prison
33 without the possibility of parole or gain-time.

34 Section 3. This act shall take effect upon becoming a law.