

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Greenstein offered the following:

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3 **Amendment (with title amendments)**

4 Between lines 15 and 16, insert:

5 Section 1. Subsection (9) is added to section 95.11,
6 Florida Statutes, to read:

7 95.11 Limitations other than for the recovery of real
8 property.--Actions other than for recovery of real property
9 shall be commenced as follows:

10 (9) FOR ACTIONS BASED UPON AN ACT THAT CONSTITUTES SEXUAL
11 BATTERY UPON A MINOR.--The time for commencing an action founded
12 on an act committed against a victim less than 18 years of age
13 that constitutes sexual battery under s. 794.011 shall be tolled
14 until the victim attains the age of 18. The time for commencing
15 such action shall also be tolled during any period of time in
16 which a medical practitioner who is licensed under chapter 458

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17 or chapter 459 or a mental health professional who is otherwise
18 licensed in this state to treat mental, emotional, or behavioral
19 disorders determines that:

20 (a) It is medically inadvisable for the victim to disclose
21 the information concerning the incident from which the action
22 arises, or the victim is unable to disclose such information
23 outside a clinical setting;

24 (b) It is medically inadvisable for the victim to confront
25 the alleged perpetrator of the act from which the action arises;
26 or

27 (c) It is medically inadvisable for the victim to publicly
28 disclose the incident from which the action arises.

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

31 Between lines 6 and 7, insert:
32 95.11, F.S.; providing for the tolling of the time for
33 commencing actions arising from acts that constitute sexual
34 battery upon a minor in certain circumstances; amending s.