

Bill No. SB 1934

Barcode 623556

CHAMBER ACTION

Senate

House

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The Committee on Criminal Justice (Argenziano) recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Effective October 1, 2007, section 843.21, Florida Statutes, is created to read:

843.21 Depriving person injured by crime of medical care.--

(1) This section may be cited as the "Frank Pacheco Aid to Victims Act."

(2) A person who takes custody of or exercises control over a person he or she knows to be injured as a result of criminal activity and deprives that person of medical care with the intent to avoid, delay, hinder, or obstruct any investigation of the criminal activity contributing to the injury commits:

(a) If the victim's medical condition worsens as a result of the deprivation of medical care a felony of the

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1 third degree, punishable as provided in s. 775.082, s.  
2 775.083, or s. 775.084.

3 (b) If deprivation of medical care contributes or  
4 results in the death of the victim, a felony of the second  
5 degree, punishable as provided in s. 775.082, s. 775.083, or  
6 s. 775.084.

7 Section 2. Paragraph (b) of subsection (3) of section  
8 960.03, Florida Statutes, is amended to read:

9 960.03 Definitions; ss. 960.01-960.28.--As used in ss.  
10 960.01-960.28, unless the context otherwise requires, the  
11 term:

12 (3) "Crime" means:

13 (b) A violation of s. 316.193, s. 316.027(1), s.  
14 327.35(1), s. 782.071 ~~s. 782.071(1)(b)~~, or s. 860.13(1)(a)  
15 which results in physical injury or death; however, no other  
16 act involving the operation of a motor vehicle, boat, or  
17 aircraft which results in injury or death shall constitute a  
18 crime for the purpose of this chapter unless the injury or  
19 death was intentionally inflicted through the use of such  
20 vehicle, boat, or aircraft or unless such vehicle, boat, or  
21 aircraft is an implement of a crime to which this act applies.

22 Section 3. Subsection (1) of section 960.065, Florida  
23 Statutes, is amended to read:

24 960.065 Eligibility for awards.--

25 (1) Except as provided in subsection (2), the  
26 following persons shall be eligible for awards pursuant to  
27 this chapter:

28 (a) A victim.

29 (b) An intervenor.

30 (c) A surviving spouse, parent or guardian, sibling,  
31 or child of a deceased victim or intervenor.

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1 (d) Any other person who is dependent for his or her  
2 principal support upon a deceased victim or intervenor.

3 (e) A person who is or was a victim in another crime  
4 or case and whose testimony is proffered under s. 90.404(2).

5 Section 4. Except as otherwise expressly provided in  
6 this act, this act shall take effect July 1, 2007.

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

10 And the title is amended as follows:

11 Delete everything before the enacting clause

12

13 and insert:

14 A bill to be entitled

15 An act relating to victims of crime; creating  
16 s. 843.21, F.S.; providing a short title;  
17 prohibiting the deprivation of medical care to  
18 a person injured as a result of criminal  
19 activity with the intent to avoid, delay,  
20 hinder, or obstruct any investigation of the  
21 criminal activity leading to the injury;  
22 providing penalties; amending s. 960.03, F.S.;  
23 redefining the term "crime" to include the  
24 offense of vehicular homicide in the second  
25 degree as an eligible offense for which an  
26 innocent victim may collect compensation;  
27 amending s. 960.065, F.S.; providing that a  
28 person who offers testimony of other crimes is  
29 eligible to receive a compensation award;  
30 providing effective dates.

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