

1 A bill to be entitled
 2 An act relating to lewd or lascivious molestation;
 3 amending s. 775.082, F.S.; requiring life sentences for
 4 certain second or subsequent offenders; reenacting s.
 5 800.04(5)(b), F.S., relating to lewd or lascivious
 6 offenses committed against persons less than 12 years of
 7 age, to incorporate the amendments made to s. 775.082,
 8 F.S., in a reference thereto; providing an effective date.

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

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 12 Section 1. Paragraph (a) of subsection (3) of section
 13 775.082, Florida Statutes, is amended to read:

14 775.082 Penalties; applicability of sentencing structures;
 15 mandatory minimum sentences for certain reoffenders previously
 16 released from prison.--

17 (3) A person who has been convicted of any other
 18 designated felony may be punished as follows:

19 (a)1. For a life felony committed prior to October 1,
 20 1983, by a term of imprisonment for life or for a term of years
 21 not less than 30.

22 2. For a life felony committed on or after October 1,
 23 1983, by a term of imprisonment for life or by a term of
 24 imprisonment not exceeding 40 years.

25 3. Except as provided in subparagraph 4., for a life
 26 felony committed on or after July 1, 1995, by a term of
 27 imprisonment for life or by imprisonment for a term of years not
 28 exceeding life imprisonment.

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29 4.a. Except as provided in sub-subparagraph b., for a life
 30 felony committed on or after September 1, 2005, which is a
 31 violation of s. 800.04(5)(b), by:

32 (I)a. A term of imprisonment for life; or

33 (II)b. A split sentence that is a term of not less than 25
 34 years' imprisonment and not exceeding life imprisonment,
 35 followed by probation or community control for the remainder of
 36 the person's natural life, as provided in s. 948.012(4).

37 b. For a life felony committed on or after July 1, 2007,
 38 which is a person's second or subsequent violation of s.
 39 800.04(5)(b), by a term of imprisonment for life.

40 Section 2. For the purpose of incorporating the amendment
 41 made by this act to section 775.082, Florida Statutes, in a
 42 reference thereto, paragraph (b) of subsection (5) of section
 43 800.04, Florida Statutes, is reenacted to read:

44 800.04 Lewd or lascivious offenses committed upon or in
 45 the presence of persons less than 16 years of age.--

46 (5) LEWD OR LASCIVIOUS MOLESTATION.--

47 (b) An offender 18 years of age or older who commits lewd
 48 or lascivious molestation against a victim less than 12 years of
 49 age commits a life felony, punishable as provided in s.

50 775.082(3)(a)4.

51 Section 3. This act shall take effect July 1, 2007.