

Bill No. SB 642

Barcode 924286

CHAMBER ACTION

Senate

House

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Comm: RCS
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The Committee on Criminal Justice (Bennett) recommended the following **amendment to amendment** (040962):

Senate Amendment (with directory and title amendments)

On page 3, lines 4-28, delete those lines

and insert: hours of the court order.

(b) However, when a victim of any sexual offense enumerated in s. 775.0877(1)(a)-(n) is under the age of 18 at the time the offense was committed or when a victim of any sexual offense enumerated in s. 775.0877(1)(a)-(n) or s. 825.1025 is a disabled adult or elderly person as defined in s. 825.1025 regardless of whether the offense involves the transmission of bodily fluids from one person to another, then upon the request of the victim or the victim's legal guardian, or of the parent or legal guardian, the court shall order such person to undergo HIV testing within 48 hours of the court order. The testing shall be performed under the direction of the Department of Health in accordance with s. 381.004. The results of an HIV test performed on a defendant or juvenile offender pursuant to this subsection shall not be admissible

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1 in any criminal or juvenile proceeding arising out of the
2 alleged offense.

3 Section 3. Subsection (3) of section 960.03, Florida
4 Statutes, is amended to read:

5 960.03 Definitions; ss. 960.01-960.28.--As used in ss.
6 960.01-960.28, unless the context otherwise requires, the
7 term:

8 (3) "Crime" means:

9 (a) A felony or misdemeanor offense committed by
10 either an adult or a juvenile which results in physical injury
11 or death. The term also includes any such criminal act ~~which~~
12 ~~is~~ committed within this state ~~but~~ which falls exclusively
13 within federal jurisdiction.

14 (b) A violation of s. 316.193, s. 316.027(1), s.
15 327.35(1), s. 782.071(1)(b), or s. 860.13(1)(a) which results
16 in physical injury or death; however, any ~~no~~ other act
17 involving the operation of a motor vehicle, boat, or aircraft
18 which results in injury or death does not ~~shall~~ constitute a
19 crime under ~~for the purpose of~~ this chapter unless the injury
20 or death was intentionally inflicted through the use of such
21 vehicle, boat, or aircraft or unless such vehicle, boat, or
22 aircraft is an implement of a crime to which this act applies.

23 (c) A criminal act committed outside of this state
24 against a resident of this state which would have been
25 compensable if it had occurred in this state and which
26 occurred in a jurisdiction ~~state~~ that does not have an
27 eligible crime

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30 ===== DIRECTORY CLAUSE AMENDMENT =====

31 And the directory clause is amended as follows:

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1 On page 2, line 19, delete that line

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3 and insert: Section 2. Paragraphs (a) and (b) of subsection
4 (2) of section

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

8 And the title is amended as follows:

9 On page 6, lines 5 and 6, delete those lines

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11 and insert:

12 include criminal acts committed outside the
13 state in another jurisdiction; amending s.
14 960.28,

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