

1 A bill to be entitled
 2 An act relating to statutes of limitation for murder and
 3 manslaughter; providing a short title; amending s. 95.11,
 4 F.S.; eliminating the statute of limitations in tort for
 5 murder and manslaughter; providing for the applicability
 6 of the amendatory provision allowing an unlimited
 7 limitations period for murder and manslaughter claims;
 8 amending s. 775.15, F.S.; clarifying that prosecutions of
 9 specified murder and manslaughter offenses may be
 10 commenced at any time; providing for the applicability of
 11 revisions to the limitations period for specified murder
 12 and manslaughter offenses; providing an effective date.

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

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 16 Section 1. This act may be cited as the "Jeffrey Klee
 17 Memorial Act."

18 Section 2. Paragraphs (a) and (o) of subsection (3),
 19 paragraph (d) of subsection (4), and subsection (7) of section
 20 95.11, Florida Statutes, are amended, and subsection (9) is
 21 added to that section, to read:

22 95.11 Limitations other than for the recovery of real
 23 property.--Actions other than for recovery of real property
 24 shall be commenced as follows:

25 (3) WITHIN FOUR YEARS.--

26 (a) An action founded on negligence, except as provided in
 27 subsection (9).

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28 (o) An action for assault, battery, false arrest,
 29 malicious prosecution, malicious interference, false
 30 imprisonment, or any other intentional tort, except as provided
 31 in subsections (4), (5), ~~and (7)~~, and (9).

32 (4) WITHIN TWO YEARS.--

33 (d) Except as provided in subsection (9), an action for
 34 wrongful death.

35 (7) FOR INTENTIONAL TORTS BASED ON ABUSE.--Except as
 36 provided in subsection (9), an action founded on alleged abuse,
 37 as defined in s. 39.01, s. 415.102, or s. 984.03, or incest, as
 38 defined in s. 826.04, may be commenced at any time within 7
 39 years after the age of majority, or within 4 years after the
 40 injured person leaves the dependency of the abuser, or within 4
 41 years from the time of discovery by the injured party of both
 42 the injury and the causal relationship between the injury and
 43 the abuse, whichever occurs later.

44 (9) MURDER AND MANSLAUGHTER.--An action for murder or
 45 manslaughter may be commenced at any time.

46 Section 3. The amendment to section 95.11, Florida
 47 Statutes, by this act applies to any claim that is not otherwise
 48 time barred on the effective date of this act.

49 Section 4. Subsection (1) of section 775.15, Florida
 50 Statutes, is amended to read:

51 775.15 Time limitations; general time limitations;
 52 exceptions.--

53 (1) A prosecution for a capital felony, a life felony, or
 54 a felony that resulted in a death, including, but not limited
 55 to, any violation of s. 782.04 or s. 782.07, may be commenced at

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56 any time. If the death penalty is held to be unconstitutional by
57 the Florida Supreme Court or the United States Supreme Court,
58 all crimes designated as capital felonies shall be considered
59 life felonies for the purposes of this section, and prosecution
60 for such crimes may be commenced at any time.

61 Section 5. The amendment to section 775.15, Florida
62 Statutes, by this act applies to any offense listed therein
63 regardless of when the offense was committed if prosecution for
64 that offense is not otherwise barred on the effective date of
65 this act.

66 Section 6. This act shall take effect upon becoming a law.