

By Senator Fasano

11-00913-09

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1                                   A bill to be entitled  
 2           An act relating to sexual battery; creating s.  
 3           794.052, F.S.; requiring each law enforcement officer  
 4           who investigates an alleged sexual battery incident to  
 5           assist the victim in obtaining medical treatment if  
 6           medical treatment is necessary and advise the victim  
 7           that he or she may contact a certified rape crisis  
 8           center for services; requiring the law enforcement  
 9           officer to immediately notify the victim of the legal  
 10          rights and remedies available to a victim of sexual  
 11          battery; directing that the notice of rights and  
 12          remedies be written on a standard notice form  
 13          developed and distributed by the Department of Law  
 14          Enforcement; requiring the department to revise the  
 15          notice form as necessary; requiring the department to  
 16          distribute the notice as a model form for sexual  
 17          battery victims to be used by law enforcement agencies  
 18          throughout the state; requiring the notice to include  
 19          certain information; providing an effective date.

20  
 21 Be It Enacted by the Legislature of the State of Florida:

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 23           Section 1. Section 794.052, Florida Statutes, is created to  
 24 read:

25           794.052 Sexual battery; notification of victim's rights and  
 26 services.-

27           (1) A law enforcement officer who investigates an alleged  
 28 sexual battery shall:

29           (a) Assist the victim in obtaining medical treatment if

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30 medical treatment is necessary as a result of the alleged  
31 incident.

32 (b) Advise the victim that he or she may contact a  
33 certified rape crisis center from which the victim may receive  
34 services.

35 (2)(a) The law enforcement officer shall give the victim  
36 immediate notice of the legal rights and remedies available to a  
37 victim on a standard form developed and distributed by the  
38 Department of Law Enforcement.

39 (b) As necessary, the department shall revise the "Legal  
40 Rights and Remedies Notice to Victims" to include a general  
41 summary of s. 784.046 using simple English as well as Spanish.  
42 The department shall distribute the notice as a model form for  
43 sexual battery victims to be used by all law enforcement  
44 agencies throughout the state. The notice must include the  
45 resource listing, including telephone number, for the area  
46 certified rape crisis center as designated by the Department of  
47 Health.

48 Section 2. This act shall take effect July 1, 2009.