Bill No. CS/CS/SB 846 (2011)

Amendment No.
CHAMBER ACTION
<u>Senate</u> <u>House</u>
•
Representative Dorworth offered the following:
Amendment (with title amendment)
Remove line 133 and insert:
Section 3. <u>Sections 3 through 15 of this act may be cited</u>
as the "Walk in Their Shoes Act."
Section 4. Subsection (2) of section 90.404, Florida
Statutes, is amended to read:
90.404 Character evidence; when admissible
(2) OTHER CRIMES, WRONGS, OR ACTS
(a) Similar fact evidence of other crimes, wrongs, or acts
is admissible when relevant to prove a material fact in issue,
including, but not limited to, proof of motive, opportunity,
intent, preparation, plan, knowledge, identity, or absence of
mistake or accident, but it is inadmissible when the evidence is
relevant solely to prove bad character or propensity.
312655
Approved For Filing: 4/29/2011 4:44:52 PM Page 1 of 18

Bill No. CS/CS/SB 846 (2011)

Amendment No. 17 (b)1. In a criminal case in which the defendant is charged with a crime involving child molestation, evidence of the 18 defendant's commission of other crimes, wrongs, or acts of child 19 20 molestation is admissible, and may be considered for its bearing on any matter to which it is relevant. 21 22 2. For the purposes of this paragraph, the term "child 23 molestation" means conduct proscribed by s. 787.025(2)(c), s. 24 794.011, excluding s. 794.011(10), s. 794.05, s. 796.03, s. 796.035, s. 796.045, s. 800.04, s. 827.071, or s. 847.0135(5), 25 26 s. 847.0145, or s. 985.701(1) when committed against a person 16 27 years of age or younger. 28 (c)1. In a criminal case in which the defendant is charged 29 with a sexual offense, evidence of the defendant's commission of other crimes, wrongs, or acts involving a sexual offense is 30 31 admissible and may be considered for its bearing on any matter 32 to which it is relevant. 33 2. For the purposes of this paragraph, the term "sexual offense" means conduct proscribed by s. 787.025(2)(c), s. 34 35 794.011, excluding s. 794.011(10), s. 794.05, s. 796.03, s. 36 796.035, s. 796.045, s. 825.1025(2)(b), s. 827.071, s. 37 847.0135(5), s. 847.0145, or s. 985.701(1). 38 (d) (c) When the state in a criminal action intends to 39 offer evidence of other criminal offenses under paragraph (a), 40 or paragraph (b), or paragraph (c), no fewer than 10 days before trial, the state shall furnish to the defendant or to the 41 defendant's counsel a written statement of the acts or offenses 42 43 it intends to offer, describing them with the particularity 44 required of an indictment or information. No notice is required 312655 Approved For Filing: 4/29/2011 4:44:52 PM Page 2 of 18

Bill No. CS/CS/SB 846 (2011)

45	Amendment No. for evidence of offenses used for impeachment or on rebuttal.
46	2. When the evidence is admitted, the court shall, if
47	requested, charge the jury on the limited purpose for which the
48	evidence is received and is to be considered. After the close of
49	the evidence, the jury shall be instructed on the limited
50	purpose for which the evidence was received and that the
51	defendant cannot be convicted for a charge not included in the
52	indictment or information.
53	Section 5. Subsection (4) is added to section 92.55,
54	Florida Statutes, to read:
55	92.55 Judicial or other proceedings involving victim or
56	witness under the age of 16 or person with mental retardation;
57	special protections; use of registered service or therapy
58	animals
59	(4) The court may set any other conditions it finds just
60	and appropriate on the taking of testimony by a child, including
61	the use of a service or therapy animal that has been evaluated
62	and registered according to national standards, in any
63	proceeding involving a sexual offense. When deciding whether to
64	permit a child to testify with the assistance of a registered
65	service or therapy animal, the court shall take into
66	consideration the age of the child, the interests of the child,
67	the rights of the parties to the litigation, and any other
68	relevant factor that would facilitate the testimony by the
69	child.
70	Section 6. Prohibition on reproduction of child
71	pornography
72	(1) In a criminal proceeding, any property or material
	312655
	Approved For Filing: 4/29/2011 4:44:52 PM Page 3 of 18

Bill No. CS/CS/SB 846 (2011)

Amendment No. 73 that portrays sexual performance by a child as defined in s. 74 827.071, Florida Statutes, or constitutes child pornography as defined in s. 847.001, Florida Statutes, must remain secured or 75 76 locked in the care, custody, and control of a law enforcement 77 agency, the state attorney, or the court. 78 (2) Notwithstanding any law or rule of court, a court 79 shall deny, in a criminal proceeding, any request by the 80 defendant to copy, photograph, duplicate, or otherwise reproduce 81 any property or material that portrays sexual performance by a 82 child or constitutes child pornography so long as the state 83 attorney makes the property or material reasonably available to 84 the defendant. 85 (3) For purposes of this section, property or material is 86 deemed to be reasonably available to the defendant if the state 87 attorney provides ample opportunity at a designated facility for the inspection, viewing, and examination of the property or 88 material that portrays sexual performance by a child or 89 90 constitutes child pornography by the defendant, his or her 91 attorney, or any individual whom the defendant uses as an expert 92 during the discovery process or at a court proceeding. 93 Section 7. Subsection (2) of section 395.1021, Florida 94 Statutes, is amended to read: 95 395.1021 Treatment of sexual assault victims.-Any licensed 96 facility which provides emergency room services shall arrange 97 for the rendering of appropriate medical attention and treatment 98 of victims of sexual assault through: The administration of medical examinations, tests, and 99 (2)100 analyses required by law enforcement personnel in the gathering 312655 Approved For Filing: 4/29/2011 4:44:52 PM Page 4 of 18

Bill No. CS/CS/SB 846 (2011)

101	Amendment No.
	of <u>forensic medical</u> evidence required for investigation and
102	prosecution from a victim who has reported a sexual battery to a
103	law enforcement agency or who requests that such evidence be
104	gathered for a possible future report.
105	
106	Such licensed facility shall also arrange for the protection of
107	the victim's anonymity while complying with the laws of this
108	state and may encourage the victim to notify law enforcement
109	personnel and to cooperate with them in apprehending the
110	suspect.
111	Section 8. Subsection (17) is added to section 775.15,
112	Florida Statutes, to read:
113	775.15 Time limitations; general time limitations;
114	exceptions
115	(17) In addition to the time periods prescribed in this
116	section, a prosecution for video voyeurism in violation of s.
117	810.145 may be commenced within 1 year after the date on which
118	the victim of video voyeurism obtains actual knowledge of the
119	existence of such a recording or the date on which the recording
120	is confiscated by a law enforcement agency, whichever occurs
121	first. Any dissemination of such a recording before the victim
122	obtains actual knowledge thereof or before its confiscation by a
123	law enforcement agency does not affect any provision of this
124	subsection.
125	Section 9. Subsection (1) of section 794.052, Florida
126	Statutes, is amended to read:
127	794.052 Sexual battery; notification of victim's rights
128	and services
·	312655 Approved For Filing: 4/29/2011 4:44:52 PM Page 5 of 18

Bill No. CS/CS/SB 846 (2011)

Amendment No. 129 (1) A law enforcement officer who investigates an alleged 130 sexual battery shall: 131 (a) Assist the victim in obtaining medical treatment, if 132 medical treatment is necessary as a result of the alleged incident, a forensic examination, and advocacy and crisis-133 134 intervention services from a certified rape crisis center and 135 provide or arrange for transportation to the appropriate 136 facility. 137 Advise the victim that he or she may contact a (b) 138 certified rape crisis center from which the victim may receive 139 services. 140 (c) Prior to submitting a final report, permit the victim 141 to review the final report and provide a statement as to the 142 accuracy of the final report. Section 10. Section 794.056, Florida Statutes, is amended 143 144 to read: 145 794.056 Rape Crisis Program Trust Fund.-The Rape Crisis Program Trust Fund is created within 146 (1)147 the Department of Health for the purpose of providing funds for 148 rape crisis centers in this state. Trust fund moneys shall be 149 used exclusively for the purpose of providing services for victims of sexual assault. Funds credited to the trust fund 150 151 consist of those funds collected as an additional court 152 assessment in each case in which a defendant pleads guilty or 153 nolo contendere to, or is found guilty of, regardless of 154 adjudication, an offense provided defined in s. 775.21(6) and (10)(a), (b), and (g), s. 784.011, s. 784.021, s. 784.03, s. 155 784.041, s. 784.045, s. 784.048, s. 784.07, s. 784.08, s. 156 312655 Approved For Filing: 4/29/2011 4:44:52 PM

Page 6 of 18

Bill No. CS/CS/SB 846 (2011)

Amendment No. 157 784.081, s. 784.082, s. 784.083, s. 784.085, s. 787.01(3), s. 158 787.02(3), s. 787.025, s. 787.06, s. 787.07, or s. 794.011, s. 794.05, s. 794.08, s. 796.03, s. 796.035, s. 796.04, s. 796.045, 159 160 s. 796.05, s. 796.06, s. 796.07(2)(a)-(d) and (i), s. 800.03, s. 161 800.04, s. 810.14, s. 810.145, s. 812.135, s. 817.025, s. 162 825.102, s. 825.1025, s. 827.071, s. 836.10, s. 847.0133, s. 163 847.0135(2), s. 847.0137, s. 847.0145, s. 943.0435(4)(c), (7), 164 (8), (9)(a), (13), and (14)(c), or s. 985.701(1). Funds credited to the trust fund also shall include revenues provided by law, 165 moneys appropriated by the Legislature, and grants from public 166 167 or private entities. 168 The Department of Health shall establish by rule (2) 169 criteria consistent with the provisions of s. 794.055(3)(a) for 170 distributing moneys from the trust fund to rape crisis centers. Section 11. Section 938.085, Florida Statutes, is amended 171 172 to read: 173 938.085 Additional cost to fund rape crisis centers.-In addition to any sanction imposed when a person pleads quilty or 174 175 nolo contendere to, or is found guilty of, regardless of 176 adjudication, a violation of s. 775.21(6) and (10)(a), (b), and 177 (g), s. 784.011, s. 784.021, s. 784.03, s. 784.041, s. 784.045, 178 s. 784.048, s. 784.07, s. 784.08, s. 784.081, s. 784.082, s. 179 784.083, s. 784.085, s. 787.01(3), s. 787.02(3), 787.025, s. <u>787.06, s. 787.07,</u> <del>or</del> s. 794.011<u>, s.</u> 794.05, s. 794.08, s. 180 181 796.03, s. 796.035, s. 796.04, s. 796.045, s. 796.05, s. 796.06, s. 796.07(2)(a)-(d) and (i), s. 800.03, s. 800.04, s. 810.14, s. 182 810.145, s. 812.135, s. 817.025, s. 825.102, s. 825.1025, s. 183 184 827.071, s. 836.10, s. 847.0133, s. 847.0135(2), s. 847.0137, s. 312655 Approved For Filing: 4/29/2011 4:44:52 PM Page 7 of 18

Bill No. CS/CS/SB 846 (2011)

185 847.0145, s. 943.0435(4)(c), (7), (8), (9)(a), (13), and 186 (14) (c), or s. 985.701(1), the court shall impose a surcharge of 187 \$151. Payment of the surcharge shall be a condition of 188 probation, community control, or any other court-ordered 189 supervision. The sum of \$150 of the surcharge shall be deposited 190 into the Rape Crisis Program Trust Fund established within the Department of Health by chapter 2003-140, Laws of Florida. The 191 192 clerk of the court shall retain \$1 of each surcharge that the 193 clerk of the court collects as a service charge of the clerk's office. 194 195 Section 12. For the purpose of incorporating the amendment

196 made by this act to section 794.056, Florida Statutes, in a 197 reference thereto, paragraph (a) of subsection (21) of section 198 20.435, Florida Statutes, is reenacted to read:

20.435 Department of Health; trust funds.-The following 199 200 trust funds shall be administered by the Department of Health:

201

Amendment No.

(21) Rape Crisis Program Trust Fund.

202 Funds to be credited to and uses of the trust fund (a) 203 shall be administered in accordance with the provisions of s. 204 794.056.

205 Section 13. For the purpose of incorporating the amendment 206 made by this act to section 938.085, Florida Statutes, in a 207 reference thereto, paragraph (b) of subsection (3) of section 794.055, Florida Statutes, is reenacted to read: 208

209 794.055 Access to services for victims of sexual battery.-210 (3)

Funds received under s. 938.085 shall be used to 211 (b) 212 provide sexual battery recovery services to victims and their 312655 Approved For Filing: 4/29/2011 4:44:52 PM Page 8 of 18

Bill No. CS/CS/SB 846 (2011)

Amendment No. 213 families. Funds shall be distributed to rape crisis centers 214 based on an allocation formula that takes into account the 215 population and rural characteristics of each county. No more 216 than 15 percent of the funds shall be used by the statewide 217 nonprofit association for statewide initiatives. No more than 5 218 percent of the funds may be used by the department for 219 administrative costs.

220 Section 14. Section 960.003, Florida Statutes, is amended 221 to read:

960.003 <u>Hepatitis and</u> HIV testing for persons charged with or alleged by petition for delinquency to have committed certain offenses; disclosure of results to victims.-

225 (1)LEGISLATIVE INTENT.-The Legislature finds that a victim of a criminal offense which involves the transmission of 226 body fluids, or which involves certain sexual offenses in which 227 the victim is a minor, disabled adult, or elderly person, is 228 entitled to know at the earliest possible opportunity whether 229 230 the person charged with or alleged by petition for delinquency 231 to have committed the offense has tested positive for hepatitis 232 or human immunodeficiency virus (HIV) infection. The Legislature finds that to deny victims access to hepatitis and HIV test 233 234 results causes unnecessary mental anguish in persons who have 235 already suffered trauma. The Legislature further finds that 236 since medical science now recognizes that early diagnosis is a 237 critical factor in the treatment of hepatitis and HIV infection, 238 both the victim and the person charged with or alleged by 239 petition for delinquency to have committed the offense benefit 240 from prompt disclosure of hepatitis and HIV test results. 312655 Approved For Filing: 4/29/2011 4:44:52 PM

Page 9 of 18

Bill No. CS/CS/SB 846 (2011)

241

Amendment No.

TESTING OF PERSON CHARGED WITH OR ALLEGED BY PETITION (2)242 FOR DELINQUENCY TO HAVE COMMITTED CERTAIN OFFENSES.-

243 (a) In any case in which a person has been charged by 244 information or indictment with or alleged by petition for 245 delinquency to have committed any offense enumerated in s. 246 775.0877(1)(a) - (n), which involves the transmission of body 247 fluids from one person to another, upon request of the victim or 248 the victim's legal quardian, or of the parent or legal quardian 249 of the victim if the victim is a minor, the court shall order 250 such person to undergo hepatitis and HIV testing within 48 hours after of the information, indictment, or petition for 251 252 delinquency is filed court order. In the event the victim or, if 253 the victim is a minor, the victim's parent or legal guardian 254 requests hepatitis and HIV testing after 48 hours have elapsed 255 from the filing of the indictment, information, or petition for 256 delinquency, the testing shall be done within 48 hours after the 257 request.

258 However, when a victim of any sexual offense (b) 259 enumerated in s. 775.0877(1)(a) - (n) is under the age of 18 at 260 the time the offense was committed or when a victim of any 261 sexual offense enumerated in s. 775.0877(1)(a) - (n) or s. 262 825.1025 is a disabled adult or elderly person as defined in s. 825.1025 regardless of whether the offense involves the 263 264 transmission of bodily fluids from one person to another, then 265 upon the request of the victim or the victim's legal guardian, 266 or of the parent or legal guardian, the court shall order such 267 person to undergo hepatitis and HIV testing within 48 hours after of the information, indictment, or petition for 268 312655 Approved For Filing: 4/29/2011 4:44:52 PM Page 10 of 18

Bill No. CS/CS/SB 846 (2011)

Amendment No. 269 delinquency is filed court order. In the event the victim or, if 270 the victim is a minor, the victim's parent or legal guardian 271 requests hepatitis and HIV testing after 48 hours have elapsed 272 from the filing of the indictment, information, or petition for 273 delinquency, the testing shall be done within 48 hours after the 274 request. The testing shall be performed under the direction of 275 the Department of Health in accordance with s. 381.004. The 276 results of a hepatitis and an HIV test performed on a defendant 277 or juvenile offender pursuant to this subsection shall not be 278 admissible in any criminal or juvenile proceeding arising out of 279 the alleged offense.

280 (c) If medically appropriate, followup HIV testing shall 281 be provided when testing has been ordered under paragraph (a) or 282 paragraph (b). The medical propriety of followup HIV testing 283 shall be based upon a determination by a physician and does not 284 require an additional court order. Notification to the victim, or to the victim's parent or legal guardian, and to the 285 286 defendant of the results of each followup test shall made be as 287 soon as practicable in accordance with this section.

288

(3) DISCLOSURE OF RESULTS.-

289 The results of the test shall be disclosed no later (a) 290 than 2 weeks after the court receives such results, under the 291 direction of the Department of Health, to the person charged 292 with or alleged by petition for delinquency to have committed or 293 to the person convicted of or adjudicated delinquent for any 294 offense enumerated in s. 775.0877(1)(a) - (n), which involves the transmission of body fluids from one person to another, and, 295 296 upon request, to the victim or the victim's legal guardian, or 312655 Approved For Filing: 4/29/2011 4:44:52 PM

Page 11 of 18

Bill No. CS/CS/SB 846 (2011)

Amendment No. 297 the parent or legal quardian of the victim if the victim is a 298 minor, and to public health agencies pursuant to s. 775.0877. If 299 the alleged offender is a juvenile, the test results shall also 300 be disclosed to the parent or quardian. When the victim is a victim as described in paragraph (2)(b), the test results must 301 302 also be disclosed no later than 2 weeks after the court receives 303 such results, to the person charged with or alleged by petition 304 for delinquency to have committed or to the person convicted of 305 or adjudicated delinquent for any offense enumerated in s. 775.0877(1)(a)-(n), or s. 825.1025 regardless of whether the 306 307 offense involves the transmission of bodily fluids from one 308 person to another, and, upon request, to the victim or the 309 victim's legal guardian, or the parent or legal guardian of the victim, and to public health agencies pursuant to s. 775.0877. 310 311 Otherwise, hepatitis and HIV test results obtained pursuant to 312 this section are confidential and exempt from the provisions of 313 s. 119.07(1) and s. 24(a), Art. I of the State Constitution and 314 shall not be disclosed to any other person except as expressly 315 authorized by law or court order.

316 (b) At the time that the results are disclosed to the victim or the victim's legal guardian, or to the parent or legal 317 318 quardian of a victim if the victim is a minor, the same 319 immediate opportunity for face-to-face counseling which must be 320 made available under s. 381.004 to those who undergo hepatitis 321 and HIV testing shall also be afforded to the victim or the victim's legal guardian, or to the parent or legal guardian of 322 323 the victim if the victim is a minor.

324 (4) POSTCONVICTION TESTING.-If, for any reason, the 312655 Approved For Filing: 4/29/2011 4:44:52 PM Page 12 of 18

Bill No. CS/CS/SB 846 (2011)

325 testing requested under subsection (2) has not been undertaken, 326 then upon request of the victim or the victim's legal guardian, 327 or the parent or legal guardian of the victim if the victim is a 328 minor, the court shall order the offender to undergo hepatitis 329 and HIV testing following conviction or delinquency 330 adjudication. The testing shall be performed under the direction of the Department of Health, and the results shall be disclosed 331 332 in accordance with the provisions of subsection (3).

Amendment No.

333 (5) EXCEPTIONS. The provisions of Subsections (2) and (4) 334 do not apply if:

335 The person charged with or convicted of or alleged by (a) 336 petition for delinquency to have committed or been adjudicated 337 delinquent for an offense described in subsection (2) has undergone hepatitis and HIV testing voluntarily or pursuant to 338 procedures established in s. 381.004(3)(h)6. or s. 951.27, or 339 any other applicable law or rule providing for hepatitis and HIV 340 341 testing of criminal defendants, inmates, or juvenile offenders, subsequent to his or her arrest, conviction, or delinquency 342 343 adjudication for the offense for which he or she was charged or 344 alleged by petition for delinquency to have committed; and

(b) The results of such <u>hepatitis and</u> HIV testing have been furnished to the victim or the victim's legal guardian, or the parent or legal guardian of the victim if the victim is a minor.

(6) TESTING DURING INCARCERATION, DETENTION, OR PLACEMENT;
DISCLOSURE.-In any case in which a person convicted of or
adjudicated delinquent for an offense described in subsection
(2) has not been tested under subsection (2), but undergoes
312655
Approved For Filing: 4/29/2011 4:44:52 PM
Page 13 of 18

Bill No. CS/CS/SB 846 (2011)

353 hepatitis and HIV testing during his or her incarceration, 354 detention, or placement, the results of the initial hepatitis 355 and HIV testing shall be disclosed in accordance with the 356 provisions of subsection (3). Except as otherwise requested by 357 the victim or the victim's legal guardian, or the parent or 358 guardian of the victim if the victim is a minor, if the initial 359 test is conducted within the first year of the imprisonment, 360 detention, or placement, the request for disclosure shall be 361 considered a standing request for any subsequent hepatitis and 362 HIV test results obtained within 1 year after the initial 363 hepatitis and HIV test are performed, and need not be repeated 364 for each test administration. Where the inmate or juvenile 365 offender has previously been tested pursuant to subsection (2) the request for disclosure under this subsection shall be 366 considered a standing request for subsequent hepatitis and HIV 367 results conducted within 1 year of the test performed pursuant 368 369 to subsection (2). If the hepatitis and HIV testing is performed 370 by an agency other than the Department of Health, that agency 371 shall be responsible for forwarding the test results to the 372 Department of Health for disclosure in accordance with the 373 provisions of subsection (3). This subsection shall not be 374 limited to results of hepatitis and HIV tests administered 375 subsequent to June 27, 1990, but shall also apply to the results 376 of all hepatitis and HIV tests performed on inmates convicted of 377 or juvenile offenders adjudicated delinquent for sex offenses as described in subsection (2) during their incarceration, 378 379 detention, or placement prior to June 27, 1990. 380 Section 15. Paragraph (n) of subsection (2) of section

Amendment No.

312655 Approved For Filing: 4/29/2011 4:44:52 PM Page 14 of 18

Bill No. CS/CS/SB 846 (2011)

Amendment No.

381 1003.42, Florida Statutes, is amended to read:

382

1003.42 Required instruction.-

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historic accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

390 Comprehensive health education that addresses concepts (n) 391 of community health; consumer health; environmental health; 392 family life, including an awareness of the benefits of sexual 393 abstinence as the expected standard and the consequences of 394 teenage pregnancy; mental and emotional health; injury prevention and safety; Internet safety; nutrition; personal 395 396 health; prevention and control of disease; and substance use and abuse. The health education curriculum for students in grades 7 397 398 through 12 shall include a teen dating violence and abuse 399 component that includes, but is not limited to, the definition 400 of dating violence and abuse, the warning signs of dating 401 violence and abusive behavior, the characteristics of healthy 402 relationships, measures to prevent and stop dating violence and 403 abuse, and community resources available to victims of dating violence and abuse. 404

405

406 The State Board of Education is encouraged to adopt standards 407 and pursue assessment of the requirements of this subsection.

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312655 Approved For Filing: 4/29/2011 4:44:52 PM Page 15 of 18

Bill No. CS/CS/SB 846 (2011)

Amendment No. 409 Section 16. Except for sections 1 and 2 of this act, which 410 shall take effect October 1, 2011, this act shall take effect 411 July 1, 2011. 412 413 414 TITLE AMENDMENT Remove lines 2-12 and insert: 415 416 An act relating to sexual offenses; amending s. 827.071, F.S.; defining the term "intentionally view"; prohibiting 417 controlling or intentionally viewing any photograph, motion 418 419 picture, exhibition, show, image, data, computer depiction, 420 representation, or other presentation that includes sexual 421 conduct by a child; providing an exception; providing 422 penalties; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the 423 424 Criminal Punishment Code to changes made by the act; 425 providing a short title; amending s. 90.404, F.S.; revising 426 offenses that are considered "child molestation" for 427 purposes of admitting evidence of other crimes, wrongs, or 428 acts in a criminal case involving child molestation; 429 providing for admission of evidence of other crimes, 430 wrongs, or acts in cases involving a sexual offense; 431 defining the term "sexual offense"; amending s. 92.55, 432 F.S.; authorizing the use of service or therapy animals in courts hearing sexual offense cases under certain 433 434 circumstances; requiring certain property or material that 435 is used in a criminal proceeding to remain in the care, 436 custody, and control of the law enforcement agency, the 312655 Approved For Filing: 4/29/2011 4:44:52 PM Page 16 of 18

Bill No. CS/CS/SB 846 (2011)

437 state attorney, or the court; prohibiting the reproduction 438 of such property or material by the defendant when 439 specified criteria are met by the state attorney; 440 permitting access to the materials by the defendant; 441 amending s. 395.1021, F.S.; requiring a licensed facility 442 that provides emergency room services to arrange for the 443 gathering of forensic medical evidence required for 444 investigation and prosecution from a victim who has 445 reported a sexual battery to a law enforcement agency or 446 who requests that such evidence be gathered for a possible 447 future report; amending s. 775.15, F.S.; providing that a 448 prosecution for video voyeurism in violation of specified 449 provisions may, in addition to existing time periods, be 450 commenced within 1 year after the victim of video voyeurism 451 obtains actual knowledge of the existence of such a 452 recording or the recording is confiscated by a law	
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448 prosecution for video voyeurism in violation of specified 449 provisions may, in addition to existing time periods, be 450 commenced within 1 year after the victim of video voyeurism 451 obtains actual knowledge of the existence of such a	
<ul> <li>449 provisions may, in addition to existing time periods, be</li> <li>450 commenced within 1 year after the victim of video voyeurism</li> <li>451 obtains actual knowledge of the existence of such a</li> </ul>	
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451 obtains actual knowledge of the existence of such a	
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452 recording or the recording is confiscated by a law	
453 enforcement agency, whichever occurs first; providing that	
454 dissemination of a recording before such knowledge or	
455 confiscation does not affect such a time period; amending	
456 s. 794.052, F.S.; requiring a law enforcement officer to	
457 provide or arrange for transportation of a victim of sexual	
458 battery to an appropriate facility for medical treatment or	
459 forensic examination; providing for a review of a police	
460 officer's final report by a victim and an opportunity for a	
461 statement by a victim; amending ss. 794.056 and 938.085,	
462 F.S.; requiring that an additional court cost or surcharge	
463 be assessed against a defendant who pleads guilty or nolo	
464 contendere to, or is found guilty of, regardless of	
312655 Approved For Filing: 4/29/2011 4:44:52 PM	

Page 17 of 18

Bill No. CS/CS/SB 846 (2011)

	Amendment No.
465	adjudication, certain criminal offenses; providing for
466	proceeds of the additional court cost or surcharge to be
467	deposited into the Rape Crisis Program Trust Fund;
468	reenacting s. 20.435(21)(a), F.S., relating to the Rape
469	Crisis Program Trust Fund, to incorporate the amendment
470	made to s. 794.056, F.S., in a reference thereto;
471	reenacting s. 794.055(3)(b), F.S., relating to access to
472	services for victims of sexual battery, to incorporate the
473	amendment made to s. 938.085, F.S., in a reference thereto;
474	amending s. 960.003, F.S.; providing for hepatitis testing
475	of persons charged with certain offenses; amending s.
476	1003.42, F.S.; requiring that public schools provide
477	comprehensive health education that addresses concepts of
478	Internet safety; providing effective dates.

312655 Approved For Filing: 4/29/2011 4:44:52 PM Page 18 of 18