

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Harrell offered the following:

**Amendment to Amendment (136077)**

Remove lines 482-522 of the amendment and insert:

(3) "Crime" means:

(a) A felony or misdemeanor offense committed by ~~either~~ an adult or a juvenile which results in physical injury or death, or a felony or misdemeanor offense of child abuse committed by an adult or a juvenile which results in a mental injury, as defined in s. 827.03, to a person younger than 18 years of age who was not physically injured by the criminal act. The mental injury to the minor must be verified by a psychologist licensed under chapter 490, by a physician licensed in this state under chapter 458 or chapter 459 who has completed an accredited residency in psychiatry, or by a physician who has obtained certification as an expert witness pursuant to s. 458.3175.

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The term also includes a ~~any such~~ criminal act that ~~which~~ is committed within this state but that ~~which~~ falls exclusively within federal jurisdiction.

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

(c) A criminal act committed outside ~~of~~ this state against a resident of this state which would have been compensable if it had occurred in this state and which occurred in a jurisdiction that does not have an eligible crime victim compensation program as the term is defined in the federal Victims of Crime Act of 1984.

(d) A ~~Any~~ violation of s. 827.071, s. 847.0135, s. 847.0137, or s. 847.0138, related to online sexual exploitation and child pornography.

(14) "Victim" means:

(a) A person who suffers personal physical injury or death as a direct result of a crime;

(b) A person younger than 18 years of age who was present at the scene of a crime, saw or heard the crime, and suffered a

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44 psychiatric or psychological injury because of the crime, but  
45 who was not physically injured; ~~or~~

46 (c) A person younger than 18 years of age who was the  
47 victim of a felony or misdemeanor offense of child abuse that  
48 resulted in a mental injury as defined by s. 827.03 but who was  
49 not physically injured; or