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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/20/2012	.	
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	.	
	.	

The Committee on Judiciary (Richter) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (f) is added to subsection (2) of
section 90.804, Florida Statutes, to read:

90.804 Hearsay exceptions; declarant unavailable.—

(2) HEARSAY EXCEPTIONS.—The following are not excluded
under s. 90.802, provided that the declarant is unavailable as a
witness:

(f) Statement offered against a party that wrongfully
caused the declarant's unavailability.—A statement offered
against a party that wrongfully caused, or acquiesced in



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14 wrongfully causing, the declarant's unavailability as a witness,
15 and did so intending that result.

16 Section 2. This act shall take effect upon becoming a law.

17
18 ===== T I T L E A M E N D M E N T =====

19 And the title is amended as follows:

20

21 Delete everything before the enacting clause
22 and insert:

23 A bill to be entitled
24 An act relating to the Florida Evidence Code; amending
25 s. 90.804, F.S.; providing that a statement offered
26 against a party that wrongfully caused the declarant's
27 unavailability is not excluded as hearsay; providing
28 an effective date.