

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nuñez offered the following:

2  
3 **Amendment (with directory and title amendments)**

4 Between lines 40 and 41, insert:

5 (19) (a) In addition to the time periods prescribed in this  
6 section, a prosecution for any of the following offenses may be  
7 commenced within 1 year after the date on which the identity of  
8 the accused is established, or could have been established by  
9 exercise of due diligence, through analysis of deoxyribonucleic  
10 acid (DNA) evidence or latent fingerprint evidence, if a  
11 sufficient portion of the evidence collected at the time of the  
12 original investigation and tested for DNA or latent fingerprints  
13 is preserved and available for testing by the accused:

14 1. An offense of sexual battery under chapter 794.

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15 2. A lewd or lascivious offense under s. 800.04 or s.  
16 825.1025.

17 (b) This subsection applies to any offense that is  
18 otherwise not barred from prosecution that was committed between  
19 July 1, 2004, and June 30, 2006.

20 (20) (a) In addition to the time periods prescribed in this  
21 section, a prosecution for any of the following offenses may be  
22 commenced within 1 year after the date on which the identity of  
23 the accused is established, or could have been established by  
24 exercise of due diligence, through analysis of deoxyribonucleic  
25 acid (DNA) evidence or latent fingerprint evidence, if a  
26 sufficient portion of the evidence collected at the time of the  
27 original investigation and tested for DNA or latent fingerprints  
28 is preserved and available for testing by the accused:

29 1. Aggravated battery or any felony battery offense under  
30 chapter 784.

31 2. Kidnapping under s. 787.01 or false imprisonment under  
32 s. 787.02.

33 3. An offense of sexual battery under chapter 794.

34 4. A lewd or lascivious offense under s. 800.04, s.  
35 825.1025, or s. 847.0135(5).

36 5. A burglary offense under s. 810.02.

37 6. A robbery offense under s. 812.13, s. 812.131, or s.  
38 812.135.

39 7. Carjacking under s. 812.133.

40 8. Aggravated child abuse under s. 827.03.

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41        (b) This subsection applies to any offense that is  
42 otherwise not barred from prosecution that was committed on or  
43 after July 1, 2006.

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46                    **D I R E C T O R Y   A M E N D M E N T**

47        Remove line 30 and insert:

48            Section 2. Subsections (18), (19), and (20) are added to  
49 section 775.15,

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51        -----

52                    **T I T L E   A M E N D M E N T**

53        Remove line 8 and insert:

54        applicability; providing an additional time period  
55        after the date on which the identity of the accused is  
56        established, or could have been established by  
57        exercise of due diligence, through analysis of DNA  
58        evidence or latent fingerprint evidence for  
59        prosecution of specified sexual battery and lewd or  
60        lascivious offenses committed between certain dates;  
61        providing an additional time period after the date on  
62        which the identity of the accused is established, or  
63        could have been established by exercise of due  
64        diligence, through analysis of DNA evidence or latent  
65        fingerprint evidence for prosecution of specified

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66 offenses; providing applicability; providing an  
67 effective date.

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