

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Nuñez offered the following:

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsection (9) of section 95.11, Florida
 7 Statutes, is amended to read:

8 95.11 Limitations other than for the recovery of real
 9 property.—Actions other than for recovery of real property shall
 10 be commenced as follows:

11 (9) SEXUAL ~~BATTERY~~ OFFENSES ON VICTIMS UNDER AGE 16.—

12 (a) An action related to an act constituting a violation
 13 of s. 794.011 involving a victim who was under the age of 16 at
 14 the time of the act may be commenced at any time. This
 15 subsection applies to any such action other than one which would
 16 have been time barred on or before July 1, 2010.

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17 (b) An action related to an act constituting a violation
18 of s. 800.04(4) or (5) involving a victim who was under the age
19 of 16 at the time of the act may be commenced at any time,
20 unless, at the time of the offense, the offender is less than 18
21 years of age and is no more than 4 years older than the victim.
22 This subsection applies to any such action other than one that
23 would have been time barred on or before October 1, 2014.

24 Section 2. Subsection (18) is added to section 775.15,
25 Florida Statutes, to read:

26 775.15 Time limitations; general time limitations;
27 exceptions.—

28 (18) If the offense is a violation of s. 800.04(4) or (5)
29 and the victim was under 16 years of age at the time the offense
30 was committed, a prosecution of the offense may be commenced at
31 any time, unless, at the time of the offense, the offender is
32 less than 18 years of age and is no more than 4 years older than
33 the victim. This subsection applies to an offense that is not
34 otherwise barred from prosecution on or before October 1, 2014.

35 Section 3. This act shall take effect October 1, 2014.

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

41 Remove everything before the enacting clause and insert:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 445 (2014)

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42 | An act relating to time limitations; amending ss. 95.11 and
43 | 775.15, F.S.; eliminating statutes of limitations on the
44 | commencement of civil or criminal actions relating to specified
45 | lewd and lascivious offenses if the victim was under 16 at the
46 | time of the offense; providing an exception; providing
47 | applicability; providing an effective date.
48 |