

HB 133

2015

1 A bill to be entitled
2 An act relating to sexual offenses; providing a short
3 title; amending s. 95.11, F.S.; providing an extended
4 statute of limitations on civil actions relating to
5 sexual battery on victims 16 years of age or older;
6 amending s. 775.15, F.S.; revising time limitations
7 for the criminal prosecution of specified sexual
8 battery offenses if the victim is 18 years of age or
9 older; providing applicability; providing an effective
10 date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. This act may be cited as the "43 Days
15 Initiative Act."

16 Section 2. Subsection (9) of section 95.11, Florida
17 Statutes, is amended to read:

18 95.11 Limitations other than for the recovery of real
19 property.—Actions other than for recovery of real property shall
20 be commenced as follows:

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

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

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27 (b) An action related to an act constituting a violation
28 of s. 794.011 involving a victim who was 16 years of age or
29 older at the time of the act may be commenced within 10 years
30 after the violation is committed. This paragraph applies to any
31 such action other than one which would have been time barred on
32 or before July 1, 2015.

33 Section 3. Subsection (14) of section 775.15, Florida
34 Statutes, is amended to read:

35 775.15 Time limitations; general time limitations;
36 exceptions.—

37 (14) (a) A prosecution for a first or second degree felony
38 violation of s. 794.011, if the victim is 18 years of age or
39 older at the time of the offense and the offense is reported to
40 a law enforcement agency within 72 hours after commission of the
41 offense, may be commenced at any time. ~~If the offense is not~~
42 ~~reported within 72 hours after the commission of the offense,~~
43 ~~the prosecution must be commenced within the time periods~~
44 ~~prescribed in subsection (2).~~

45 (b) Except as provided in paragraph (a), a prosecution for
46 a first or second degree felony violation of s. 794.011, if the
47 victim is 18 years of age or older at the time of the offense,
48 must be commenced within 10 years after the violation is
49 committed. This paragraph applies to any such offense except an
50 offense the prosecution of which would have been barred by
51 subsection (2) on or before July 1, 2015.

52 Section 4. This act shall take effect July 1, 2015.