

1 A bill to be entitled
 2 An act relating to criminal statutes; creating s.
 3 775.022, F.S.; providing a definition; providing that
 4 acts reenacting, revising, or amending criminal
 5 statutes do not affect or abate prior operation of
 6 statutes unless expressly so provided; providing
 7 intent; providing that a Florida Statutes cross-
 8 reference to a criminal statute or a Florida Statutes
 9 cross-reference within a criminal statute constitutes
 10 a general reference under the doctrine of
 11 incorporation by reference; providing an effective
 12 date.

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

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 16 Section 1. Section 775.022, Florida Statutes, is created
 17 to read:

18 775.022 Effect of reenactment, revision, or amendment of
 19 criminal statutes; references in criminal statutes.-

20 (1) As used in this section, the term "criminal statute"
 21 means chapters 775-896 and any law of this state that prohibits
 22 an act or omission and provides a criminal penalty therefor,
 23 regardless of the degree of offense.

24 (2) An act reenacting, revising, or amending a criminal
 25 statute shall not be considered a repeal of such statute for

26 | purposes of s. 9, Art. X of the State Constitution.

27 | (3) The reenactment, revision, or amendment of a criminal
 28 | statute operates prospectively only and does not, except as
 29 | expressly provided in the act, affect or abate:

30 | (a) The prior operation of the statute or a prosecution or
 31 | enforcement under it;

32 | (b) A violation of the statute based on any act or
 33 | omission occurring before the effective date of the act; or

34 | (c) A prior penalty, forfeiture, or punishment incurred or
 35 | imposed under the statute.

36 | (4) It is the intent of the Legislature that this section
 37 | preclude the application of the common law doctrine of abatement
 38 | to a reenactment, revision, or amendment to a criminal statute.

39 | (5) A reference to any other chapter, section, or
 40 | subdivision of the Florida Statutes in a criminal statute or a
 41 | reference to a criminal statute constitutes a general reference
 42 | under the doctrine of incorporation by reference.

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