

1 A bill to be entitled

2 An act relating to compensation for victims of
3 excessive use of force by law enforcement officers;
4 amending s. 960.03, F.S.; revises the definition of
5 the term "crime" to include victims of a law
6 enforcement officer's excessive use of force for
7 purposes of the Florida Crimes Compensation Act;
8 amending s. 960.065, F.S.; providing eligibility for
9 compensation for a minor child of nondeceased victim
10 for specified purposes; providing that specified
11 eligibility requirements do not apply to a victim of a
12 law enforcement officer's excessive use of force;
13 amending s. 960.13, F.S.; prohibiting a crime victim
14 compensation award from being denied on certain
15 grounds if the claimant is a victim of a law
16 enforcement officer's excessive use of force;
17 specifying that other evidence may be used to support
18 such a claim if no police report was filed concerning
19 the incident; providing an effective date.
20

21 Be It Enacted by the Legislature of the State of Florida:
22

23 Section 1. Paragraph (g) is added to subsection (3) of
24 section 960.03, Florida Statutes, to read:

25 960.03 Definitions; ss. 960.01-960.28.—As used in ss.

26 | 960.01-960.28, unless the context otherwise requires, the term:

27 | (3) "Crime" means:

28 | (g) The use of force by a law enforcement officer, as
 29 | defined in s. 943.10(1), that is beyond what is reasonable under
 30 | the totality of the circumstances, and that causes the victim
 31 | injury or death, regardless of whether the officer is arrested
 32 | for, or charged with, the commission of a crime.

33 | Section 2. Paragraph (e) is added to subsection (1) of
 34 | section 960.065, Florida Statutes, and subsection (5) of that
 35 | section is amended, to read:

36 | 960.065 Eligibility for awards.—

37 | (1) Except as provided in subsection (2), the following
 38 | persons shall be eligible for awards pursuant to this chapter:

39 | (e) A minor child of a nondeceased victim of a crime as
 40 | defined in s. 960.03(3)(g) for the purposes of mental health
 41 | treatment and counseling.

42 | (5) A person is not ineligible for an award:

43 | (a) Pursuant to paragraph (2)(a), paragraph (2)(b), or
 44 | paragraph (2)(c) if that person is a victim of sexual
 45 | exploitation of a child as defined in s. 39.01(77)(g).

46 | (b) Pursuant to subsection (2) or subsection (3) if that
 47 | person is a victim of a crime as defined in s. 960.03(3)(g).

48 | Section 3. Paragraph (c) is added to subsection (1) of
 49 | section 960.13, Florida Statutes, to read:

50 | 960.13 Awards.—

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51 (1)
52 (c) Notwithstanding paragraph (a) or paragraph (b), if a
53 claim is based on injury or death as a result of a crime as
54 defined in s. 960.03(3)(g), the claim may not be denied based
55 upon a delay in reporting the crime, lack of a report of the
56 crime, or the victim's failure to cooperate. If there is no
57 police report, the claim may be supported by other evidence to
58 establish that a crime occurred.

59 Section 4. This act shall take effect July 1, 2021.