

By Senator Book

32-00153B-22

20221768\_\_

1                   A bill to be entitled  
2           An act relating to statutes of limitations; amending  
3           s. 95.11, F.S.; eliminating the statute of limitations  
4           period for civil actions for certain sexual offenses;  
5           providing applicability; superseding specified  
6           requirements for actions against the state or its  
7           subdivisions; providing an effective date.

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

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

13           95.11 Limitations other than for the recovery of real  
14   property.—Actions other than for recovery of real property shall  
15   be commenced as follows:

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

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

22           (b)1. Except as provided in paragraph (a), an action  
23   related to an act constituting a violation of s. 794.011, s.  
24   800.02, s. 800.03, s. 800.101, s. 827.071, s. 847.011(1)(c), s.  
25   847.012, s. 847.013, or s. 847.0135 may be commenced at any  
26   time. This paragraph applies to any such action other than one  
27   that would have been time barred on or before July 1, 2022.

28           2. As to any action against the state or its agencies and  
29   subdivisions to which this paragraph applies:

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30       a. The time limitation in s. 768.28(6)(a) for presenting a  
31 claim in writing to the agency and the Department of Financial  
32 Services does not apply and is expressly superseded.

33       b. The limitations period in s. 768.28(14) does not apply  
34 and is expressly superseded.

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