

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WITHDRAWN	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>	

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

**Amendment**

Remove lines 25-101 and insert:

6 2. Upon a showing that a delay in filing a claim under  
7 this paragraph occurred because of a delay in the testing of, or  
8 a delay in the DNA profile matching from, a sexual assault  
9 forensic examination kit or biological material collected as  
10 evidence related to a sexual offense, a person who is eligible  
11 for compensation under subsection (1) may receive a waiver of  
12 any claim filing deadline.

13 3. ~~2.~~ For good cause based on reason other than a delay  
14 described in subparagraph 2., the department may extend the time  
15 for filing a claim under subparagraph 1. for a period not  
16 exceeding 2 years after such occurrence.

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17 (b)1. A claim arising from a crime occurring on or after  
18 October 1, 2019, must be filed within 3 years after the later  
19 of:

20 a. The occurrence of the crime upon which the claim is  
21 based;

22 b. The death of the victim or intervenor; or

23 c. The death of the victim or intervenor is determined to  
24 be the result of the crime.

25 2. Upon a showing that a delay in filing a claim under  
26 this paragraph occurred because of a delay in the testing of, or  
27 a delay in the DNA profile matching from, a sexual assault  
28 forensic examination kit or biological material collected as  
29 evidence related to a sexual offense, a person who is eligible  
30 for compensation under subsection (1) may receive a waiver of  
31 any claim filing deadline.

32 3. ~~2.~~ For good cause based on a reason other than a delay  
33 described in subparagraph 2., the department may extend the time  
34 for filing a claim under subparagraph 1. for a period not to  
35 exceed 5 years after such occurrence.

36 (3) ~~Notwithstanding~~ The provisions of subsection (2)  
37 notwithstanding, if the victim or intervenor was under the age  
38 of 18 at the time the crime upon which the claim is based  
39 occurred, a claim may be filed in accordance with this  
40 subsection.

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41 (a) The victim's or intervenor's parent or guardian may  
42 file a claim on behalf of the victim or intervenor while the  
43 victim or intervenor is less than 18 years of age;

44 (b) For a claim arising from a crime that occurred before  
45 October 1, 2019, when a victim or intervenor who was under the  
46 age of 18 at the time the crime occurred reaches the age of 18,  
47 the victim or intervenor has 1 year to file a claim; or

48 (c) For a claim arising from a crime occurring on or after  
49 October 1, 2019, when a victim or intervenor who was under the  
50 age of 18 at the time the crime occurred reaches the age of 18,  
51 the victim or intervenor has 3 years to file a claim.

52  
53 Upon a showing that a delay in filing a claim occurred because  
54 of delay in the testing of, or a delay in the DNA profile  
55 matching from, a sexual assault forensic examination kit or  
56 biological material collected as evidence related to a sexual  
57 offense, a person who is eligible for compensation under this  
58 subsection may receive a waiver of any claim filing deadline.

59 For good cause based on any other reason, the department may  
60 extend the time period allowed for filing a claim under  
61 paragraph (b) for an additional period not to exceed 1 year or  
62 under paragraph (c) for an additional period not to exceed 2  
63 years.

64 (4) The provisions of subsection (2) notwithstanding, a  
65 victim of a sexually violent offense as defined in s. 394.912,

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66 may file a claim for compensation for counseling or other mental  
67 health services within:

68 (a) One year after the filing of a petition under s.  
69 394.914, to involuntarily civilly commit the individual who  
70 perpetrated the sexually violent offense, if the claim arises  
71 from a crime committed before October 1, 2019; or

72 (b) Three years after the filing of a petition under s.  
73 394.914, to involuntarily civilly commit the individual who  
74 perpetrated the sexually violent offense, if the claim arises  
75 from a crime committed on or after October 1, 2019.

76  
77 Upon a showing that a delay in filing a claim occurred because  
78 of delay in the testing of, or a delay in the DNA profile  
79 matching from, a sexual assault forensic examination kit or  
80 biological material collected as evidence related to a sexual  
81 offense, a person who is eligible for compensation under this  
82 subsection may receive a waiver of any claim filing