

The Florida Senate
HOUSE MESSAGE SUMMARY

Prepared By: The Professional Staff of the Committee on Criminal Justice

[2023h00667.hms.cj]

BILL: CS/HB 667 (CS/CS/SB 510)

INTRODUCER: Criminal Justice Subcommittee and Reps. Baker, Yarkosky, and others (Rules Committee; Criminal Justice Committee; and Senator Burgess)

SUBJECT: Victim's Right to Candor in Criminal Proceedings

DATE: May 4, 2023

I. Amendments Contained in Message:

House Amendment – 855607 to Senate Amendment – 463652 (body with title)

II. Summary of Amendments Contained in Message:

House Amendment – 855607 The House Amendment to the Senate Amendment:

- 1) Limits scope of amendment to victims of sexual offenses under 16 YOA (Senate is 18 YOA)
Does NOT include any victim who has an intellectual disability (as in Senate amendment).
- 2) Does not require the defendant to file a written motion before a deposition can be taken, and does not provide that the court find good cause.
- 3) Court may set conditions, limitations, if court allows deposition of victim under 16 (in written order).
Not addressed in Senate amendment.
- 4) Creates presumption that deposition of child victim of sexual offense (under 12) is not appropriate IF
State has not filed Notice of Intent to seek death penalty AND a forensic interview is not available to defendant. Not addressed in Senate amendment.