

By Senator Martin

33-00887-25

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1                                   A bill to be entitled  
2       An act relating to a rebuttable presumption for  
3       certain deaths; creating s. 782.073, F.S.; creating a  
4       rebuttable presumption that the death of an alleged  
5       victim was the result of a controlled substance under  
6       specified circumstances; providing an effective date.

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

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10       Section 1. Section 782.073, Florida Statutes, is created to  
11       read:

12       782.073 Presence of controlled substance in toxicology  
13       report.—There is created a rebuttable presumption in favor of  
14       the defense that the death of an alleged victim was the result  
15       of a controlled substance if:

16       (1) The defendant is charged with murder in the second  
17       degree pursuant to s. 782.04(2) or manslaughter pursuant to s.  
18       782.07(1); and

19       (2) A forensic toxicology report indicates that a Schedule  
20       I controlled substance under s. 893.03(1) was present in the  
21       alleged victim at the time of death.

22       Section 2. This act shall take effect July 1, 2025.