

## **HB 1 — Statutes of Limitations**

by Rep. Porth and others (SB 92 by Senators Rich and Crist)

The bill names the act the “Jeffrey Klee Memorial Act.”

It amends s. 95.11, F.S., the statute of limitations in civil actions, to provide that wrongful death actions for intentional torts resulting in death from acts described in the murder or manslaughter statutes may be commenced at any time. (Currently, there is a two year statute of limitations for wrongful death actions. Under the statute of limitations for criminal prosecutions, however, there is no time limitation for a capital felony, a life felony, or a felony resulting in a death.)

The bill also specifies that bringing a civil action is not conditioned upon the criminal prosecution, arrest, or conviction of the person being sued. Finally, the bill provides language that limits the application of the changes to the time period in the civil statute of limitations to claims not otherwise time barred on the effective date of the act, which means that the extension of time will not be retroactively applied. Thus, if a wrongful death claim is barred by the statute of limitations prior to the bill’s effective date, it will remain barred. However, if such claim is not yet barred, it will benefit from the unlimited time extension under the bill.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 35-0; House 113-0*