By the Committee on Crime & Punishment and Representative
Argenziano

1   A bill to be entitled
2   An act relating to trial testimony concerning
3   sexual offenses; amending s. 918.16, F.S.;
4   requiring that the court clear the courtroom at
5   the request of a victim during his or her
6   testimony concerning a sexual offense,
7   regardless of the victim's age or mental
8   capacity; providing certain exceptions;
9   providing an effective date.
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11   Be It Enacted by the Legislature of the State of Florida:
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13   Section 1. Section 918.16, Florida Statutes, is
14   amended to read:
15   918.16 Sex offenses; testimony of person under age 16
16   or person with mental retardation; testimony of victim;
17   courtroom cleared; exceptions.--
18   (1) Except as provided in subsection (2),in the trial
19   of any case, civil or criminal, when any person under the age
20   of 16 or any person with mental retardation as defined in s.
21   393.063(44)s. 393.063(41)is testifying concerning any sex
22   offense, the court shall clear the courtroom of all persons
23   except parties to the cause, victims,and their immediate
24   families or guardians, attorneys and their secretaries,
25   officers of the court, jurors, newspaper reporters or
26   broadcasters, and court reporters, and at the request of the
27   victim, victim or witness advocates designated by the state
28   attorney's office.
29   (2) When the victim of a sex offense is testifying
30   concerning that offense in any civil or criminal trial, the
31   court shall clear the courtroom of all persons upon the

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1 request of the victim, regardless of his or her age or mental

2 capacity, except that parties to the cause, victims, and their

3 immediate families or guardians, attorneys and their

4 secretaries, officers of the court, jurors, newspaper

5 reporters or broadcasters, court reporters, and, at the

6 request of the victim, any victim or witness advocate

7 designated by the state attorney may remain in the courtroom.

8   Section 2. This act shall take effect July 1, 1999.

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