

By Senator Siplin

19-852-05

See HB 247

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled
An act relating to wrongful criminal
convictions; creating s. 914.145, F.S.;
providing for civil damages for certain
wrongful criminal convictions; providing for
joint and several liability; providing for
statute of limitations; providing an effective
date.

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

Section 1. Section 914.145, Florida Statutes, is
created to read:

914.145 Wrongful convictions; civil damages.--

(1) Any person convicted of a crime whose conviction
was based upon evidence fabricated or deceptively manipulated
by any law enforcement agency or state attorney shall have a
civil cause of action against the law enforcement agency or
state attorney that fabricated or deceptively manipulated the
evidence.

(2) Liability under subsection (1) shall be joint and
several.

(3) The statute of limitations applicable to a cause
of action created by this section shall:

(a) Run from the time a person convicted as described
in subsection (1) is exonerated in a court of law.

(b) Be as provided under s. 95.11(3)(o).

Section 2. This act shall take effect July 1, 2005.