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A bill to be entitled
 An act relating to murder of a child 17 years of age or younger; creating s. 782.066, F.S.; providing for reclassification of specified murder offenses if committed upon a child 17 years of age or younger; prohibiting a court from suspending, deferring, or withholding adjudication of guilt or imposition of sentence; providing an effective date.

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

Section 1. Section 782.066, Florida Statutes, is created to read:

782.066 Murder; child 17 years of age or younger.-

(1) Whenever a person is charged with committing a violation of s. 782.04, other than s. 782.04(1), upon a child 17 years of age or younger, the offense for which the person is charged may be reclassified as follows, regardless of whether he or she had a reason to know the age of the victim:

(a) In the case of a violation of s. 782.04(2), from a felony of the first degree to a capital felony, punishable as provided in s. 775.082.

(b) In the case of a violation of s. 782.04(4), from a felony of the second degree to a felony of the first degree.

(2) Notwithstanding s. 948.01, a court may not suspend, defer, or withhold adjudication of guilt or imposition of sentence for any violation of this section.

Section 2. This act shall take effect July 1, 2013.