

By Senator Lee

20-01376B-19

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1 A bill to be entitled
2 An act relating to amendment of criminal statutes;
3 creating s. 775.022, F.S.; defining the term "criminal
4 statute"; providing that an act of the Legislature
5 which reenacts, revises, or amends a criminal statute
6 may not be considered a repeal under a specified
7 provision of the State Constitution; specifying that
8 the reenactment, revision, or amendment of an existing
9 criminal statute only operates prospectively unless
10 expressly provided otherwise in such an act; providing
11 an effective date.

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

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15 Section 1. Section 775.022, Florida Statutes, is created to
16 read:

17 775.022 Effect of reenactment, revision, or amendment of
18 criminal statutes.—

19 (1) As used in this section, the term "criminal statute"
20 means chapters 775-896 and any other law of this state which
21 prohibits an act or omission and provides a criminal penalty,
22 regardless of the degree of the offense.

23 (2) Any act of the Legislature reenacting, revising, or
24 amending a criminal statute may not be considered a repeal of
25 such statute for purposes of s. 9, Art. X of the State
26 Constitution.

27 (3) Except as expressly provided in an act of the
28 Legislature, the reenactment, revision, or amendment by law of
29 an existing criminal statute operates prospectively and does not

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30 affect or abate any of the following:

31 (a) The prior operation of the statute or any prosecution
32 or enforcement thereunder.

33 (b) Any violation of the statute based on any act or
34 omission occurring prior to the effective date of the act.

35 (c) Any prior penalty, prior forfeiture, or prior
36 punishment incurred or imposed under the statute.

37 Section 2. This act shall take effect upon becoming a law.