

By Senator Pizzo

38-01549-19

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1 A bill to be entitled
2 An act relating to sexual battery offenses; amending
3 s. 775.15, F.S.; increasing the statute of limitations
4 period for specified sexual battery offenses committed
5 on or after a specified date; amending s. 943.326,
6 F.S.; requiring the Department of Law Enforcement to
7 adopt a system for tracking sexual offense evidence
8 test kits by a specified date; requiring the
9 department to develop policies and procedures
10 concerning victim access to information from such
11 kits; providing 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. Paragraph (b) of subsection (14) of section
16 775.15, Florida Statutes, is amended to read:

17 775.15 Time limitations; general time limitations;
18 exceptions.—

19 (14)

20 (b) 1. Except as provided in paragraph (a) or paragraph
21 (13) (b), a prosecution for a first or second degree felony
22 violation of s. 794.011, if the victim is 16 years of age or
23 older at the time of the offense, must be commenced within 8
24 years after the violation is committed. This subparagraph
25 ~~paragraph~~ applies to any such offense except an offense the
26 prosecution of which would have been barred by subsection (2) on
27 or before July 1, 2015.

28 2. Except as provided in paragraph (a) or paragraph
29 (13) (b), a prosecution for a first or second degree felony

38-01549-19

2019606__

30 violation of s. 794.011, if the victim is 16 years of age or
31 older at the time of the offense, must be commenced within 15
32 years after the violation is committed. This subparagraph
33 applies to any such offense except an offense the prosecution of
34 which would have been barred by subsection (2) or subparagraph
35 1. on or before July 1, 2019.

36 Section 2. Subsection (5) of section 943.326, Florida
37 Statutes, is renumbered as subsection (6), and a new subsection
38 (5) is added to that section, to read:

39 943.326 DNA evidence collected in sexual offense
40 investigations.—

41 (5) By January 1, 2020, the department shall:

42 (a) Adopt a statewide information management system to
43 track the location, lab submission status, testing, completion,
44 and storage of each kit required to be submitted for testing
45 under subsection (1).

46 (b) Develop policies and procedures to ensure each victim
47 has access to information regarding the victim's sexual offense
48 evidence kit, including, but not limited to, information
49 regarding when the kit was tested, whether any DNA was obtained
50 from the testing of the kit, whether such DNA was entered into
51 the DNA database established under s. 943.325, a national DNA
52 database, or any other DNA database, and, if so, whether the
53 sample derived from the kit satisfactorily matches a profile in
54 a DNA database.

55 Section 3. This act shall take effect July 1, 2019.