

CHAPTER 97-104

Senate Bill No. 1028

An act relating to felonies arising from the use of destructive devices; amending s. 775.15, F.S, relating to time limitations upon prosecution; providing that prosecution for such felonies arising from use of a destructive device and resulting in personal injury may be commenced within 10 years; providing an effective date.

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

Section 1. Subsection (1) of section 775.15, Florida Statutes, 1996 Supplement, is amended to read:

775.15 Time limitations.—

(1) A prosecution for a capital felony, a life felony, or a felony that resulted in a death may be commenced at any time. A prosecution for a felony that resulted in injury to any person, when such felony arises from the use of a “destructive device,” as defined in s. 790.001, may be commenced within 10 years. If the death penalty is held to be unconstitutional by the Florida Supreme Court or the United States Supreme Court, all crimes designated as capital felonies shall be considered life felonies for the purposes of this section, and prosecution for such crimes may be commenced at any time.

Section 2. This act shall take effect upon becoming a law and shall apply to pending cases the prosecution of which has not been barred prior to that date.

Became a law without the Governor's approval May 24, 1997.

Filed in Office Secretary of State May 23, 1997.