

Committee Substitute for Senate Bill No. 1312

An act relating to sexual battery; creating s. 794.052, F.S.; requiring each law enforcement officer who investigates an alleged sexual battery incident to assist the victim in obtaining medical treatment if medical treatment is necessary, a forensic examination, and crisis-intervention services from a certified rape crisis center; requiring the law enforcement officer to advise the victim that he or she may contact a certified rape crisis center for services; requiring the law enforcement officer to immediately notify the victim of the legal rights and remedies available to a victim of sexual battery; directing that the notice of rights and remedies be written on a standard notice form developed and distributed by the Florida Council Against Sexual Violence and the Department of Law Enforcement; requiring the notice to include certain information; providing an effective date.

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

Section 1. Section 794.052, Florida Statutes, is created to read:

794.052 Sexual battery; notification of victim's rights and services.—

(1) A law enforcement officer who investigates an alleged sexual battery shall:

(a) Assist the victim in obtaining medical treatment, if medical treatment is necessary as a result of the alleged incident, a forensic examination, and advocacy and crisis-intervention services from a certified rape crisis center.

(b) Advise the victim that he or she may contact a certified rape crisis center from which the victim may receive services.

(2) The law enforcement officer shall give the victim immediate notice of the legal rights and remedies available to a victim on a standard form developed and distributed by the Florida Council Against Sexual Violence in conjunction with the Department of Law Enforcement. The notice must include the resource listing, including telephone number, for the area certified rape crisis center as designated by the Florida Council Against Sexual Violence.

Section 2. This act shall take effect July 1, 2009.

Approved by the Governor June 16, 2009.

Filed in Office Secretary of State June 16, 2009.