

## CHAPTER 2010-45

### House Bill No. 1

An act relating to statutes of limitations; providing a short title; amending s. 95.11, F.S.; eliminating the statute of limitations for wrongful death actions for intentional torts resulting in death from acts described in s. 782.04, F.S., relating to murder, or s. 782.07, F.S., relating to manslaughter; providing for application; providing an effective date.

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

Section 1. This act may be cited as the “Jeffrey Klee Memorial Act.”

Section 2. Subsection (9) is added to section 95.11, Florida Statutes, to read:

95.11 Limitations other than for the recovery of real property.—Actions other than for recovery of real property shall be commenced as follows:

(9) FOR INTENTIONAL TORTS RESULTING IN DEATH FROM ACTS DESCRIBED IN S. 782.04 OR S. 782.07.—Notwithstanding paragraph (4)(d), an action for wrongful death seeking damages authorized under s. 768.21 brought against a natural person for an intentional tort resulting in death from acts described in s. 782.04 or s. 782.07 may be commenced at any time. This subsection shall not be construed to require an arrest, the filing of formal criminal charges, or a conviction for a violation of s. 782.04 or s. 782.07 as a condition for filing a civil action.

Section 3. The amendment to section 95.11, Florida Statutes, by this act applies to any claim that is not otherwise time barred on the effective date of this act.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor May 11, 2010.

Filed in Office Secretary of State May 11, 2010.