

11.16(a) DANGEROUS SEXUAL FELONY OFFENDER

§ 794.0115, Fla. Stat.

(For crimes committed on or after July 1, 2003.)

(For use when defendant has been found guilty of s. 794.0115(2)(d) or (e), Fla. Stat.).

Having found (defendant) **guilty of** (felony, as identified by section 794.0115(2), Fla. Stat., that defendant has been found guilty of committing) **you must now determine whether the State has proven beyond a reasonable doubt whether** (defendant):

1. (Defendant) **was 18 years of age or older at the time of the commission of the offense**
and

Give 2a or 2b as applicable.

2. (Defendant)
 - a. **committed the offense while under the jurisdiction of a court for a felony offense under the laws of this state, for an offense that is a felony in another jurisdiction, or for an offense that would be a felony if that offense were committed in this state.**
 - b. **had been convicted of** (felony, as identified by section 794.0115(2)(e), Fla. Stat.) **and the date of the offense in the prior conviction was before the commission of this offense.**

Comment

This instruction was adopted in 2008 [980 So. 2d 1054] and 2013.