CRCdr-202-pr

CS for Proposal No. 13

By the Com. on Declaration of Rights & Commissioner Brochin

A proposal to revise
ARTICLE I, s. 22, Fla. Const.; providing that a
defendant charged with a capital offense may
not be sentenced to death unless such sentence
is recommended by 9 members of a jury of 12
persons.

It is proposed by the Florida Constitution Revision Commission
that:

Section 1. Section 22 of Article I of the Florida
Constitution is revised by amending that section to read:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 22. Trial by jury; death sentence.--

(a) The right of trial by jury shall be secure to all
and remain inviolate. Except as provided in subsection (b),
the qualifications and the number of jurors, not fewer than
six, shall be fixed by law.

(b) A defendant charged with a capital offense may not
be sentenced to death unless nine members of a jury of twelve
persons recommends that the defendant be sentenced to death.

CODING: Words stricken are deletions; words underlined are additions.