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) The judge shall, upon recommendation of the jury,
sentence the defendant convicted of a capital offense as
follows:
(1) death by a vote of seven members of the jury;
(2) life imprisonment in solitary confinement without
possibility of parole by a vote of seven members of the jury;
or to
(3) life imprisonment without possibility of parole by
a vote of seven members of the jury.

In the event of a nondecisive jury vote, the sentence of life
imprisonment without possibility of parole shall be imposed.

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