

Bill No. HJR 3505

Amendment No. ____

1 Supreme Court which interpret the prohibition against cruel
2 and unusual punishment provided in the Eighth Amendment to the
3 United States Constitution. However, any method of execution
4 shall be allowed, unless specifically prohibited by the United
5 States Supreme Court. Methods of execution may be designated
6 by the legislature, and a change in any method of execution
7 may be applied retroactively. A sentence of death shall not be
8 reduced on the basis that a method of execution is invalid. In
9 any case in which a method of execution is declared invalid,
10 the death sentence shall remain in force until the sentence
11 can be lawfully executed by any valid method. This section
12 shall apply retroactively.

13 BE IT FURTHER RESOLVED that the following statement be
14 placed on the ballot:

15 CONSTITUTIONAL AMENDMENT

16 ARTICLE I, SECTION 17

17 CRUEL AND UNUSUAL PUNISHMENT.--Proposing an amendment
18 to the State Constitution to authorize the death penalty;
19 require construction of "cruel or unusual" and "cruel and
20 unusual" punishment to conform to the United States Supreme
21 Court's interpretation of the Eighth Amendment; authorize
22 execution methods not specifically prohibited by the United
23 States Supreme Court; allow the retroactive application of
24 execution methods; prohibit the reduction of a death sentence
25 based on invalidity of the execution method; and provide
26 retroactive applicability.

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29 ===== T I T L E A M E N D M E N T =====

30 And the title is amended as follows:

31 Delete everything before the resolving clause

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Amendment No. ____

1 and insert:

2 House Joint Resolution No. ____

3 A joint resolution proposing an amendment to s.

4 17, Art. I of the State Constitution, relating

5 to excessive punishment.

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