

By Senator Crist

20-656-98

1 Senate Joint Resolution No. ____
2 A joint resolution proposing an amendment to
3 Section 8, Article IV of the State
4 Constitution, relating to clemency.

6 Be It Resolved by the Legislature of the State of Florida:

8 That the amendment to Section 8 of Article IV of the
9 State Constitution set forth below is agreed to and shall be
10 submitted to the electors of this state for approval or
11 rejection at the general election to be held in November 1998:

ARTICLE IV

CLEMENCY

SECTION 8. Clemency.--

15 (a) Except in cases of treason and in cases where
16 impeachment results in conviction, the governor may, by
17 executive order filed with the secretary of state, suspend
18 collection of fines and forfeitures, grant reprieves not
19 exceeding sixty days and, with the approval of three members
20 of the cabinet, grant full or conditional pardons, restore
21 civil rights, commute punishment, and remit fines and
22 forfeitures for offenses.

23 (b) In cases of treason the governor may grant
24 reprieves until adjournment of the regular session of the
25 legislature convening next after the conviction, at which
26 session the legislature may grant a pardon or further
27 reprieve; otherwise the sentence shall be executed.

28 (c) There may be created by law a parole and probation
29 commission with power to supervise persons on probation and to
30 grant paroles or conditional releases to persons under
31 sentences for crime. The qualifications, method of selection

1 and terms, not to exceed six years, of members of the
2 commission shall be prescribed by law.

3 (d) All state prisoners lawfully sentenced to a term
4 of years shall serve at least 85 percent of their term of
5 imprisonment, unless granted pardon or clemency. Parole,
6 conditional release, or any mechanism of sentence reduction
7 may reduce the term-of-years sentence by no more than 15
8 percent. State prisoners sentenced to life imprisonment shall
9 be incarcerated for the rest of their natural lives, unless
10 granted pardon or clemency.

11 BE IT FURTHER RESOLVED that the following statement be
12 placed on the ballot:

13 CONSTITUTIONAL AMENDMENT

14 ARTICLE IV, SECTION 8

15 LENGTH OF SENTENCE.--Proposing an amendment to the
16 State Constitution which, except in cases of pardon or
17 clemency, requires that state prisoners serve at least 85
18 percent of their terms of imprisonment; prohibits any sentence
19 reduction by more than 15 percent; and requires state
20 prisoners sentenced to life imprisonment to be incarcerated
21 for the rest of their natural lives, unless granted pardon or
22 clemency.