

By Senator Burt

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A bill to be entitled
An act relating to postconviction proceedings
in capital cases; repealing Rule 3.852, Florida
Rules of Criminal Procedure, relating to the
production of records in postconviction
proceedings in capital cases; providing a
contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Rule 3.852, Florida Rules of Criminal
Procedure, is repealed.

Section 2. This act shall take effect July 1, 1998,
but it shall take effect only if enacted by the affirmative
vote of two-thirds of the membership of each house of the
Legislature.

SENATE SUMMARY

Repeals Rule 3.852, Florida Rules of Criminal Procedure,
which governs the production of public records for any
postconviction proceeding in a capital case. The act does
not take effect unless enacted by a two-thirds vote of
each house of the Legislature.