

By Senator Gutman

34-763-98

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled
An act relating to the death sentence; amending
s. 921.141, F.S.; providing conditions under
which a sentence of death may not be
overturned; providing an effective date.

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

Section 1. Subsection (4) of section 921.141, Florida
Statutes, is amended to read:

921.141 Sentence of death or life imprisonment for
capital felonies; further proceedings to determine sentence.--

(4) REVIEW OF JUDGMENT AND SENTENCE.--The judgment of
conviction and sentence of death shall be subject to automatic
review by the Supreme Court of Florida and disposition
rendered within 2 years after the filing of a notice of
appeal. Such review by the Supreme Court shall have priority
over all other cases and shall be heard in accordance with
rules promulgated by the Supreme Court. An imposed death
sentence may not be overturned because a codefendant in the
same case accepted a plea offer from the state in exchange for
trial testimony or an offer to testify and was not sentenced
to death.

Section 2. This act shall take effect October 1, 1998.

SENATE SUMMARY

Provides that an imposed death sentence may not be
overturned because a codefendant accepted a plea bargain
and was not sentenced to death.