

Bill No. SB 12-A, 1st Eng.

Amendment No.

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senators Meek, Hargrett, Dyer, Holzendorf, Campbell, and Jones moved the following amendment:

Senate Amendment (with title amendment)

On page 18, line 12, delete the phrase ". For the purposes of this"

and insert: , except that a postconviction claim that race was the basis of the decision to seek a death sentence may be established if the court finds that race was a significant factor in decisions to seek the sentence of death in the state of Florida at the time the death sentence was sought.

1. Evidence relevant to support finding that race was the basis of the decision to seek a death sentence may include statistical evidence and other evidence that death sentences were sought more frequently upon persons of one race than upon persons of another race; or as punishment for capital offenses against persons of one race than as punishment for capital offenses against persons of another race.

2. If the defendant is successful in showing that the imposition of his or her death sentence was based, in whole or

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1 in part, on his or her race, the death sentence shall be
2 commuted to life in prison.

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4 For the purposes of this

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

8 And the title is amended as follows:

9 On page 1, line 11, after the semicolon,

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11 insert:

12 providing an exception

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