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 1                      A bill to be entitled
 2            An act relating to imposition of a death
 3            sentence; creating s. 921.1415, F.S.; providing
 4            that only criminals who were 18 years of age or
 5            older at the time the crime was committed may
 6            be sentenced to death; amending s. 775.082,
 7            F.S., to conform; providing an effective date.
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 9   Be It Enacted by the Legislature of the State of Florida:
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11            Section 1.  Section 921.1415, Florida Statutes, is
12   created to read:
13            921.1415  Sentence of death; minimum age
14   requirement.--The death sentence is an authorized punishment
15   for persons who are 18 years of age or older at the time of
16   the commission of a capital crime. However, notwithstanding
17   any other provision of this chapter, the death sentence is not
18   an authorized punishment for any person who, at the time of
19   the commission of the crime, was less than 18 years of age.
20            Section 2.  Subsection (1) of section 775.082, Florida
21   Statutes, is amended to read:
22            775.082  Penalties; applicability of sentencing
23   structures; mandatory minimum sentences for certain
24   reoffenders previously released from prison.--
25            (1)  A court shall sentence a person to life
26   imprisonment without possibility of parole if such person is
27   convicted of a capital felony committed when such person was
28   less than 18 years of age.A person who has been convicted of
29   a capital felony committed when such person was 18 years of
30   age or older shall be sentenced to punished by death if the
31   proceeding held to determine sentence according to the
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1 procedure set forth in s. 921.141 results in findings by the
2 court that such person shall be <u>sentenced to</u> ~~punished by~~
3 death, otherwise such person shall be <u>sentenced to</u> ~~punished by~~
4 life imprisonment <u>without possibility of</u> ~~and shall be~~
5 ~~ineligible for~~ parole.
6   Section 3. This act shall take effect upon becoming a
7 law.
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