

By Representative Bilirakis

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

1 procedure set forth in s. 921.141 results in findings by the  
2 court that such person shall be sentenced to ~~punished by~~  
3 death, otherwise such person shall be sentenced to ~~punished by~~  
4 life imprisonment without possibility of ~~and shall be~~  
5 ~~ineligible for~~ parole.

6 Section 3. This act shall take effect upon becoming a  
7 law.

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HOUSE SUMMARY

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Limits imposition of the death sentence to a person who  
was at least 18 years old at the time he or she committed  
a capital crime.

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