

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Seiler offered the following:

3 **Amendment**

4 Remove line(s) 28 through 49 and insert:

5 WHEREAS, the Legislature finds that the Florida Supreme
6 Court has the authority and responsibility "to reconsider and
7 correct erroneous rulings in exceptional circumstances and
8 where reliance on the previous decision would result in
9 manifest injustice..." State v. Owens, 696 So.2d 715, 720 (Fla.
10 1997), and

11 WHEREAS, the Legislature finds that the case of Delgado v.
12 State, 776 So.2d 233 (Fla. 2000), results in decisions which
13 are manifestly unjust because it has caused the reversal of
14 convictions of individuals who were tried and convicted of
15 burglary, or felony murder based on burglary, under the
16 interpretation of the burglary statute approved by the

167895

HOUSE AMENDMENT

Bill No. HB 1807

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17 | Legislature, in order to grant relief to undeserving defendants
18 | under an interpretation of the burglary statute expressly
19 | rejected by the Legislature, and

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