

By Senator Crist

12-281-04

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 imposition of a death
sentence; creating s. 921.1415, F.S.; providing
that only criminals who were 18 years of age or
older at the time the crime was committed may
be sentenced to death; amending s. 775.082,
F.S., to conform; providing an effective date.

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

Section 1. Section 921.1415, Florida Statutes, is
created to read:

921.1415 Sentence of death; minimum age
requirement.--The death sentence is an authorized punishment
for persons who are 18 years of age or older at the time of
the commission of a capital crime. However, notwithstanding
any other provision of this chapter, the death sentence is not
an authorized punishment for any person who, at the time of
the commission of the crime, was younger than 18 years of age.

Section 2. Subsection (1) of section 775.082, Florida
Statutes, is amended to read:

775.082 Penalties; applicability of sentencing
structures; mandatory minimum sentences for certain
reoffenders previously released from prison.--

(1) A court shall sentence a person to life
imprisonment without possibility of parole if the person is
convicted of a capital felony committed when that person was
younger than 18 years of age.A person who has been convicted
of a capital felony committed when that person was 18 years of
age or older shall be sentenced to ~~punished by~~ death if the
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.

8

9

10

SENATE SUMMARY

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

Provides that a sentence of death is not an authorized
punishment for a person who, at the time of the crime,
was younger than 18 years of age. Requires that the court
sentence a person to life imprisonment without
possibility of parole if the person is convicted of a
capital felony committed when that person was younger
than 18 years of age.