

1 A bill to be entitled
 2 An act relating to the sentencing proceeding for a capital
 3 felony; providing a popular name; amending s. 921.141,
 4 F.S.; clarifying that the prosecution may introduce and
 5 argue victim impact evidence to the jury; providing an
 6 effective date.

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

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 10 Section 1. This act may be cited as the "Caroline Cody
 11 Act."

12 Section 2. Subsection (7) of section 921.141, Florida
 13 Statutes, is amended to read:

14 921.141 Sentence of death or life imprisonment for capital
 15 felonies; further proceedings to determine sentence.--

16 (7) VICTIM IMPACT EVIDENCE.--Once the prosecution has
 17 provided evidence of the existence of one or more aggravating
 18 circumstances as described in subsection (5), the prosecution
 19 may introduce, and subsequently argue, victim impact evidence to
 20 the jury. Such evidence shall be designed to demonstrate the
 21 victim's uniqueness as an individual human being and the
 22 resultant loss to the community's members by the victim's death.

23 Characterizations and opinions about the crime, the defendant,
 24 and the appropriate sentence shall not be permitted as a part of
 25 victim impact evidence.

26 Section 3. This act shall take effect July 1, 2005.