

1 A bill to be entitled
2 An act relating to the sentencing proceeding
3 for a capital felony; providing a popular name;
4 amending s. 921.141, F.S.; clarifying that the
5 prosecution may introduce and argue
6 victim-impact evidence to the jury; providing
7 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. This act may be cited as the "Caroline Cody
12 Act."

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

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

17 (7) VICTIM IMPACT EVIDENCE.--Once the prosecution has
18 provided evidence of the existence of one or more aggravating
19 circumstances as described in subsection (5), the prosecution
20 may introduce, and subsequently argue, victim impact evidence
21 to the jury. Such evidence shall be designed to demonstrate
22 the victim's uniqueness as an individual human being and the
23 resultant loss to the community's members by the victim's
24 death. Characterizations and opinions about the crime, the
25 defendant, and the appropriate sentence shall not be permitted
26 as a part of victim impact evidence.

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