

By Senator Posey

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A bill to be entitled

An act relating to aggravating circumstances in the commission of a capital felony; amending s. 921.141, F.S.; providing an additional aggravating circumstance for imposing the death penalty on a defendant who was under a court order to have no contact with the victim at the time of the commission of the felony; providing an effective date.

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

Section 1. Paragraph (p) is added to subsection (5) of section 921.141, Florida Statutes, to read:

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

(5) AGGRAVATING CIRCUMSTANCES.--Aggravating circumstances shall be limited to the following:

(p) The capital felony was committed by the defendant while he or she was under a court order to have no contact or to have no violent contact with the victim.

Section 2. This act shall take effect October 1, 2006.

SENATE SUMMARY

Provides an additional aggravating circumstance for imposing the death penalty on a defendant who was under a court order to have no contact with the victim at the time of the commission of the felony.