

By the Committee on Criminal Justice; and Senator Dockery

591-04492-08

20081064c1

1 A bill to be entitled

2 An act relating to the murder or attempted murder of
3 law enforcement officers; creating s. 782.065, F.S.;
4 requiring that a defendant be sentenced to imprisonment
5 for life without eligibility for early release upon
6 findings beyond a reasonable doubt that the defendant
7 committed a specified murder offense or attempted
8 murder offense against a law enforcement officer, part-
9 time law enforcement officer, or auxiliary law
10 enforcement officer engaged in the lawful performance
11 of a legal duty; providing an effective date.

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

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15 Section 1. Section 782.065, Florida Statutes, is created to
16 read:

17 782.065 Murder; law enforcement officer.--Notwithstanding
18 s. 775.082, s. 775.0823, s. 782.04, s. 782.051, or chapter 921, a
19 defendant shall be sentenced to imprisonment for life without
20 eligibility for early release upon findings by the fact finder
21 beyond a reasonable doubt that:

22 (1) The defendant committed murder in the first degree in
23 violation of s. 782.04(1) and a death sentence is not imposed;
24 murder in the second or third degree in violation of s.
25 782.04(2), (3), or (4); attempted murder in the first or second
26 degree in violation of s. 782.04(1)(a)1. or (2); or attempted
27 felony murder in violation of s. 782.051; and

28 (2) The victim of the offense described in subsection (1)
29 is a law enforcement officer, part-time law enforcement officer,

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30 | or auxiliary law enforcement officer, as those terms are defined
31 | in s. 943.10, engaged in the lawful performance of a legal duty.

32 | Section 2. This act shall take effect October 1, 2008.