

HJR 1115

2008

House Joint Resolution

A joint resolution proposing an amendment to Section 8 of Article IV of the State Constitution, relating to restoration of civil rights, to authorize the Legislature to prescribe additional circumstances under which certain reprieves may be granted and civil rights restored.

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

That the following amendment to Section 8 of Article IV of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE IV

EXECUTIVE

SECTION 8. Clemency.--

(a) Except in cases of treason and in cases where impeachment results in conviction, and except as otherwise prescribed by law, the governor may, by executive order filed with the custodian of state records, suspend collection of fines and forfeitures, grant reprieves not exceeding sixty days and, with the approval of two members of the cabinet, grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures for offenses.

(b) In cases of treason the governor may grant reprieves until adjournment of the regular session of the legislature convening next after the conviction, at which session the

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29 legislature may grant a pardon or further reprieve; otherwise  
30 the sentence shall be executed.

31 (c) There may be created by law a parole and probation  
32 commission with power to supervise persons on probation and to  
33 grant paroles or conditional releases to persons under sentences  
34 for crime. The qualifications, method of selection and terms,  
35 not to exceed six years, of members of the commission shall be  
36 prescribed by law.

37 BE IT FURTHER RESOLVED that the following statement be  
38 placed on the ballot:

39 CONSTITUTIONAL AMENDMENT

40 ARTICLE IV, SECTION 8

41 RESTORATION OF CIVIL RIGHTS.--Proposing an amendment to the  
42 State Constitution authorizing the Legislature to provide the  
43 conditions under which fines and forfeitures may be suspended or  
44 remitted, reprieves may be granted, civil rights may be  
45 restored, and punishments may be commuted.