



120366

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2009	.	
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The Committee on Criminal Justice (Wilson) recommended the following:

Senate Amendment (with ballot and title amendments)

Delete everything after the resolving clause
and insert:

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



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12 SECTION 8. Clemency.-

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

21 (b) Except in cases of treason, the legislature may enact
22 laws to suspend or remit fines and forfeitures, grant reprieves
23 not exceeding sixty days, restore civil rights, and commute
24 punishments.

25 (c) ~~(b)~~ In cases of treason the governor may grant reprieves
26 until adjournment of the regular session of the legislature
27 convening next after the conviction, at which session the
28 legislature may grant a pardon or further reprieve; otherwise
29 the sentence shall be executed.

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

36
37 ===== B A L L O T S T A T E M E N T A M E N D M E N T =====

38 And the ballot statement is amended as follows:

39 Delete everything after the resolving clause
40 and insert:



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CONSTITUTIONAL AMENDMENT

ARTICLE IV, SECTION 8

RESTORATION OF CIVIL RIGHTS.—This proposed amendment to the State Constitution authorizes the Legislature to enact laws to suspend or remit fines and forfeitures, grant reprieves not exceeding 60 days, restore civil rights, and commute punishments, except in cases of treason.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the resolving clause
and insert:

Senate Joint Resolution

A joint resolution proposing an amendment to Section 8 of Article IV of the State Constitution, to authorize the Legislature to provide by law for clemency in certain circumstances.