

By the Committee on Criminal Justice; and Senator Wilson

591-04456-09

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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.

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

(c) ~~(b)~~ In cases of treason the governor may grant reprieves

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30 until adjournment of the regular session of the legislature
31 convening next after the conviction, at which session the
32 legislature may grant a pardon or further reprieve; otherwise
33 the sentence shall be executed.

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

40 BE IT FURTHER RESOLVED that the following statement be
41 placed on the ballot:

42 CONSTITUTIONAL AMENDMENT

43 ARTICLE IV, SECTION 8

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