

By the Committee on Judiciary; and Senators Thrasher and Gaetz

590-02753-10

2010704c1

1 A bill to be entitled
2 An act relating to capital felonies; amending s.
3 921.141, F.S.; providing that it is an aggravating
4 circumstance for the purpose of determining sentence
5 if a capital felony was committed by a person subject
6 to an injunction or protection order against the
7 petitioner who obtained that injunction or order or
8 any of certain related persons; providing an effective
9 date.

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

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

15 921.141 Sentence of death or life imprisonment for capital
16 felonies; further proceedings to determine sentence.—

17 (5) AGGRAVATING CIRCUMSTANCES.—Aggravating circumstances
18 shall be limited to the following:

19 (p) The capital felony was committed by a person subject to
20 an injunction issued pursuant to s. 741.30 or s. 784.046, or a
21 foreign protection order accorded full faith and credit pursuant
22 to s. 741.315, and was committed against the petitioner who
23 obtained the injunction or protection order or any spouse,
24 child, sibling, or parent of the petitioner.

25 Section 2. This act shall take effect October 1, 2010.