

1 A bill to be entitled
 2 An act relating to DNA testing of criminal defendants;
 3 amending s. 925.12, F.S.; deleting provisions
 4 concerning legislative intent that the Supreme Court
 5 adopt certain rules relating to courts making
 6 inquiries into matters regarding defendants entering
 7 guilty pleas; providing an effective date.

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

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 11 Section 1. Subsections (3) and (4) of section 925.12,
 12 Florida Statutes, are amended to read:

13 925.12 DNA testing; defendants entering pleas.-

14 ~~(3) It is the intent of the Legislature that the Supreme~~
 15 ~~Court adopt rules of procedure consistent with this section for~~
 16 ~~a court, prior to the acceptance of a plea, to make an inquiry~~
 17 ~~into the following matters:~~

18 ~~(a) Whether counsel for the defense has reviewed the~~
 19 ~~discovery disclosed by the state and whether such discovery~~
 20 ~~included a listing or description of physical items of evidence.~~

21 ~~(b) Whether the nature of the evidence against the~~
 22 ~~defendant disclosed through discovery has been reviewed with the~~
 23 ~~defendant.~~

24 ~~(c) Whether the defendant or counsel for the defendant is~~
 25 ~~aware of any physical evidence disclosed by the state for which~~
 26 ~~DNA testing may exonerate the defendant.~~

27 ~~(d) Whether the state is aware of any physical evidence~~
 28 ~~for which DNA testing may exonerate the defendant.~~

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29 (3)~~(4)~~ It is the intent of the Legislature that the
30 postponement of the proceedings by the court on the defendant's
31 behalf under subsection (2) constitute an extension attributable
32 to the defendant for purposes of the defendant's right to a
33 speedy trial.

34 Section 2. This act shall take effect July 1, 2012.