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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/22/2013	.	
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The Committee on Appropriations (Negron) recommended the following:

Senate Amendment to Amendment (241388) (with title amendment)

Between lines 910 and 911
insert:

Section 22. Section 940.031, Florida Statutes, is created
to read:

940.031 Clemency counsel when sentence of death has been imposed.—When a person has been sentenced to death, the Governor and Cabinet, acting as the Board of Executive Clemency, shall appoint counsel to represent the person for relief by executive clemency. The Board may not appoint a public defender, an office



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13 of criminal conflict and civil regional counsel, or any capital
14 collateral regional counsel under this section. The appointed
15 attorney shall be compensated, not to exceed \$10,000, for
16 attorney fees and costs incurred in representing the person for
17 relief by executive clemency, with compensation to be paid out
18 of the General Revenue Fund from funds budgeted to the Parole
19 Commission. The Board shall maintain a list of counsel available
20 for appointment under this section.

21
22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 Delete line 1039

25 and insert:

26 proceedings in capital cases; creating s. 940.031,
27 F.S.; requiring the Governor and Cabinet, sitting as
28 the Board of Executive Clemency, to appoint counsel to
29 represent a person sentenced to death for relief by
30 executive clemency; providing for a limitation on
31 attorney fees and costs; requiring the Board to
32 maintain a list of counsel available for appointment;
33 repealing sections

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