



761256

LEGISLATIVE ACTION

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

1           **Senate Amendment to Amendment (241388) (with title**  
2 **amendment)**

3  
4           Delete lines 789 - 804

5 and insert:

6           Section 16. Section 922.052, Florida Statutes, is amended  
7 to read:

8           922.052 Issuance of warrant of execution.-

9           (1) When a person is sentenced to death, the clerk of the  
10 court shall prepare a certified copy of the record of the  
11 conviction and sentence, and the sheriff shall send the record  
12 to the Governor and the clerk of the Florida Supreme Court.



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13           (2) (a) The clerk of the Florida Supreme Court shall inform  
14 the Governor in writing certifying that a person convicted and  
15 sentenced to death has:

16           1. Completed such person's direct appeal and initial  
17 postconviction proceeding in state court, and habeas corpus  
18 proceeding and appeal therefrom in federal court; or

19           2. Allowed the time permitted for filing a habeas corpus  
20 petition in federal court to expire.

21           (b) Within 30 days after receiving the letter of  
22 certification from the clerk of the Florida Supreme Court, the  
23 Governor shall issue a warrant for execution in all cases where  
24 the executive clemency process has concluded, directing the  
25 warden to execute the sentence within 180 days, at a time  
26 designated in the warrant.

27           (c) If, in the Governor's sole discretion, the clerk of the  
28 Florida Supreme Court has not complied with the provisions of  
29 paragraph (a) with respect to any person sentenced to death, the  
30 Governor may sign a warrant of execution for such person where  
31 the executive clemency process has concluded.

32           (3) The sentence shall not be executed until the Governor  
33 issues a warrant, attaches it to the copy of the record, and  
34 transmits it to the warden, directing the warden to execute the  
35 sentence at a time designated in the warrant.

36           (4) ~~(2)~~ If, for any reason, the sentence is not executed  
37 during the week designated, the warrant shall remain in full  
38 force and effect and the sentence shall be carried out as  
39 provided in s. 922.06.

40  
41 ===== T I T L E   A M E N D M E N T =====



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42 And the title is amended as follows:

43 Delete lines 1007 - 1012

44 and insert:

45

46 amending s. 922.052, F.S.; requiring the sheriff to  
47 send a copy of the conviction and sentence to the  
48 Governor and the clerk of the Florida Supreme Court;  
49 directing the clerk to inform the Governor in writing  
50 certifying that a person convicted and sentenced to  
51 death has completed the applicable proceedings or has  
52 allowed the time permitted for filing a habeas corpus  
53 petition in federal court to expire; requiring the  
54 Governor to issue a warrant of execution within a  
55 specified period of time; amending s. 922.11,