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LEGISLATIVE ACTION

Senate

House

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Floor: WD/2R

04/26/2013 09:31 AM

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Senator Soto moved the following:

**Senate Amendment (with title amendment)**

Between lines 995 and 996  
insert:

Section 20. Effective for an offense committed on or after October 1, 2013, an advisory sentence of death must be made by a 10 to 2 super majority recommendation of the jury. The court shall instruct the jury that, in order for the jury to recommend to the court that the death penalty be imposed, the jury must find that sufficient aggravating circumstances exist which outweigh any mitigating circumstances found to exist. The court shall further instruct the jury that each aggravating



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14 circumstance used to support the jury's recommendation of death  
15 must be proven beyond a reasonable doubt by a 10 to 2 super  
16 majority vote. The court shall provide a special verdict form  
17 for each aggravating circumstance found.

18

19 ===== T I T L E A M E N D M E N T =====

20 And the title is amended as follows:

21 Delete line 99

22 and insert:

23 appointment; requiring that an advisory sentence of  
24 death must be made by a 10 to 2 super majority  
25 recommendation of the jury after a specified date;  
26 requiring the court to instruct the jury on various  
27 matters; repealing ss. 924.058, 924.059, and