



642074

LEGISLATIVE ACTION

Senate

House

.
. .
. .
. .
. .
. .

Floor: 4/F/2R

04/26/2013 09:53 AM

Senator Soto moved the following:

Senate Amendment (with title amendment)

Between lines 857 and 858
insert:

Section 16. Effective for an offense committed on or after October 1, 2013, an advisory sentence of death must be made by at least 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 circumstance used to support the jury's recommendation of death



642074

14 must be proven beyond a reasonable doubt by at least a 10 to 2
15 super majority vote. The court shall provide a special verdict
16 form for each aggravating circumstance found.

17
18 ===== T I T L E A M E N D M E N T =====

19 And the title is amended as follows:

20 Delete line 78

21 and insert:

22 postconviction proceedings in capital cases; requiring
23 that an advisory sentence of death must be made by at
24 least a 10 to 2 super majority recommendation of the
25 jury after a specified date; requiring the court to
26 instruct the jury on various matters; repealing