

By Senator Joyner

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1 A bill to be entitled
2 An act relating to executive clemency; amending s.
3 14.28, F.S.; requiring records relating to a clemency
4 investigation of individual subject to a judgment
5 imposing the death penalty be released to such
6 individual, or his or her legal counsel, upon written
7 request; 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. Section 14.28, Florida Statutes, is amended to
12 read:

13 14.28 Executive clemency.—All records developed or received
14 by any state entity pursuant to a Board of Executive Clemency
15 investigation are ~~shall be~~ confidential and exempt from ~~the~~
16 ~~provisions of~~ s. 119.07(1) and s. 24(a), Art. I of the State
17 Constitution. However, such records:

18 (1) May be released upon the approval of the Governor.

19 (2) Must be released to an individual subject to a judgment
20 imposing the death penalty, or his or her legal counsel, upon
21 such individual's written request for a copy of records related
22 to his or her clemency investigation.

23 Section 2. This act shall take effect upon becoming a law.