



832456

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/24/2017	.	
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The Committee on Judiciary (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete lines 30 - 35
and insert:

(4) In a criminal prosecution, a defendant may file a pretrial motion claiming the right to the immunity from prosecution set forth in subsection (1). The motion must clearly state the reasons that the defendant is immune and allege the facts on which the claim of immunity is based. The court shall grant the motion after a pretrial hearing unless the state proves beyond a reasonable doubt that the defendant is not



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12 immune. If the motion is not granted, the motion and its
13 contents are inadmissible at trial.

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

15 And the title is amended as follows:

16 Delete lines 3 - 6

17 and insert:

18 776.032, F.S.; providing that the state has the burden
19 of proving that a defendant is not immune from
20 prosecution under certain circumstances; providing an
21 effective date.