

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 177 (2026)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED ☐ (Y/N)

ADOPTED AS AMENDED ☐ (Y/N)

ADOPTED W/O OBJECTION ☐ (Y/N)

FAILED TO ADOPT ☐ (Y/N)

WITHDRAWN ☐ (Y/N)

OTHER ☐

Committee/Subcommittee hearing bill: Criminal Justice  
Subcommittee

Representative Maney offered the following:

**Amendment (with title amendment)**

Remove lines 27-73 and insert:

(6) (a) At any time that an office of criminal conflict and  
civil regional counsel determines that it can no longer  
represent an indigent defendant in a death penalty case due to a  
conflict of interest or a lack of qualifications, it must  
provide written notice to the court. The written notice must  
state that the defendant has been determined to be indigent  
under s. 27.52, that the state has filed a notice of intent to  
seek the death penalty, and that it can no longer provide  
representation due to a conflict of interest or a lack of  
qualifications. Upon receiving the notice, the court is

656059 - h177-line 27.docx

Published On: 1/13/2026 1:43:16 PM

Amendment No. 1

17 authorized to appoint an office of criminal conflict and civil  
18 regional counsel from another region to represent the defendant  
19 provided that such office concurs with the appointment, does not  
20 have a conflict of interest, and that its designated counsel is  
21 qualified to provide competent representation in death penalty  
22 cases. These provisions are effective notwithstanding ss. 27.40  
23 and 27.5305, which authorize the appointment of a private  
24 attorney to represent the defendant.

25 (b) Subject to legislative appropriation, the office of  
26 criminal conflict and civil regional counsel appointed from  
27 another region under paragraph (a) shall provide documentation  
28 for all due process costs and services of representation to the  
29 Justice Administrative Commission for reimbursement.

30 (c) Beginning February 1, 2027, and biannually on February  
31 1 and August 1 thereafter, each regional office of the office of  
32 criminal conflict and civil regional counsel that accepts an  
33 appointment under paragraph (a), in a case involving a defendant  
34 determined to be indigent under s. 27.52 in which the state has  
35 filed a notice of intent to seek the death penalty, shall submit  
36 a report to the Justice Administrative Commission. For each  
37 case, the report must contain all of the following information:

38 1. The office of criminal conflict and civil regional  
39 counsel appointed and the date of appointment, including the  
40 name of counsel assigned.

41 2. The length of time the capital case has been pending.

656059 - h177-line 27.docx

Published On: 1/13/2026 1:43:16 PM

Amendment No. 1

42        3. The date the state filed a notice of intent to seek the  
43 death penalty.

44        4. The number of victims.

45        5. The status of any ongoing discovery, including any  
46 discovery deadline set by the court.

47        6. The number of outstanding motions.

48        7. Whether there is a mitigation specialist, and, if so,  
49 the date of his or her employment, as well as any mitigation  
50 work product.

51        (d) If the office of criminal conflict and civil regional  
52 counsel from another region cannot accept an appointment under  
53 paragraph (a), private counsel must be appointed.

54  
55        -----

56                    **T I T L E   A M E N D M E N T**

57        Remove lines 10-14 and insert:

58        appointments to biannually submit a specified report  
59        to the commission; requiring the appointment of  
60        private counsel in certain circumstances; amending s.