

By the Com. on Declaration of Rights & Commissioner Brochin

1 A proposal to revise
2 ARTICLE I, s. 22, Fla. Const.; providing that a
3 defendant charged with a capital offense may
4 not be sentenced to death unless such sentence
5 is recommended by 9 members of a jury of 12
6 persons.

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8 It is proposed by the Florida Constitution Revision Commission
9 that:

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11 Section 1. Section 22 of Article I of the Florida
12 Constitution is revised by amending that section to read:

13 ARTICLE I

14 DECLARATION OF RIGHTS

15 SECTION 22. Trial by jury; death sentence.--

16 (a) The right of trial by jury shall be secure to all
17 and remain inviolate. Except as provided in subsection (b),
18 the qualifications and the number of jurors, not fewer than
19 six, shall be fixed by law.

20 (b) A defendant charged with a capital offense may not
21 be sentenced to death unless nine members of a jury of twelve
22 persons recommends that the defendant be sentenced to death.