

By 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 unanimously recommended by 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 a jury of twelve persons  
22   unanimously recommends that the defendant be sentenced to  
23   death.