

1 A proposal to revise
2 ARTICLE IV, s. 8, Fla. Const.; requiring that a
3 state prisoner serve at least 85 percent of his
4 or her term of imprisonment, unless granted
5 pardon or clemency; prohibiting the reduction
6 of a prisoner's sentence by more than 15
7 percent; requiring that a state prisoner
8 sentenced to life imprisonment be incarcerated
9 for the remainder of his or her natural life,
10 unless granted pardon or clemency.
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12 It is proposed by the Florida Constitution Revision Commission
13 that:
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15 Section 1. Section 8 of Article IV of the Florida
16 Constitution is revised by amending that section to read:
17 ARTICLE IV
18 EXECUTIVE
19 SECTION 8. Clemency.--
20 (a) Except in cases of treason and in cases where
21 impeachment results in conviction, the governor may, by
22 executive order filed with the secretary of state, suspend
23 collection of fines and forfeitures, grant reprieves not
24 exceeding sixty days and, with the approval of three members
25 of the cabinet, grant full or conditional pardons, restore
26 civil rights, commute punishment, and remit fines and
27 forfeitures for offenses.
28 (b) In cases of treason the governor may grant
29 reprieves until adjournment of the regular session of the
30 legislature convening next after the conviction, at which
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1 session the legislature may grant a pardon or further
2 reprieve; otherwise the sentence shall be executed.

3 (c) There may be created by law a parole and probation
4 commission with power to supervise persons on probation and to
5 grant paroles or conditional releases to persons under
6 sentences for crime. The qualifications, method of selection
7 and terms, not to exceed six years, of members of the
8 commission shall be prescribed by law.

9 (d) The people have a fundamental right to know that
10 public safety will always be one of their Government's highest
11 priorities. Because protection of the public is one of
12 Government's paramount duties, and because every citizen has
13 the right to expect consistency and integrity in the criminal
14 justice system, there must be truth in sentencing.
15 Accordingly, no defendant sentenced to state prison shall be
16 released for any reason prior to serving at least 85 percent
17 of the sentence imposed, unless granted pardon or clemency.
18 State prisoners sentenced to life imprisonment shall be
19 incarcerated for the rest of their natural lives, unless
20 granted pardon or clemency.