

Supreme Court of Florida

No. SC00-475

JAMES OSBORNE,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[August 31, 2000]

PER CURIAM.

We have for review Osborne v. State, 25 Fla. L. Weekly D420 (Fla. 4th DCA Feb. 16, 2000), in which the Fourth District Court of Appeal certified conflict with the Second District's decision in Thompson v. State, 708 So. 2d 315 (Fla. 2d DCA 1998), approved, 750 So. 2d 643 (Fla. 1999), on the issue of standing to challenge chapter 95-182, Laws of Florida, as violative of the single subject rule contained in article III, section 6 of the Florida Constitution. We have jurisdiction. See Art. V, § 3(b)(4), Fla. Const.

Based on our recent decision in Salters v. State, 758 So. 2d 667 (Fla. 2000), and

the State's confession of error, we quash the decision below and remand for resentencing in accordance with the valid laws in effect on February 5, 1997, the date of the offenses.

It is so ordered.

SHAW, HARDING, ANSTEAD, PARIENTE, LEWIS and QUINCE, JJ., concur.
WELLS, C.J., dissents.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION, AND IF
FILED, DETERMINED.

Application for Review of the Decision of the District Court of Appeal -
Certified Direct Conflict

Fourth District - Case No. 4D98-1706

(Broward County)

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Fifteenth Judicial Circuit, West Palm Beach, Florida,

for Petitioner

Robert A. Butterworth, Attorney General, and Gary K. Milligan, Assistant Attorney
General, Fort Lauderdale, Florida,

for Respondent