

Council Substitute for House Bill No. 321

An act relating to murder of law enforcement officers; creating s. 782.065, F.S.; providing a minimum mandatory sentence for certain offenses; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 782.065, Florida Statutes, is created to read:

782.065 Murder: law enforcement officer.—Notwithstanding s. 775.082, s. 775.0823, s. 782.04, s. 782.051, and chapter 921, a defendant shall be sentenced to life imprisonment without eligibility for release upon findings by the trier of fact that, beyond a reasonable doubt:

(1) The defendant committed murder in the first degree in violation of s. 782.04(1) and a death sentence was not imposed; murder in the second or third degree in violation of s. 782.04(2), (3), or (4); attempted murder in the first or second degree in violation of s. 782.04(1)(a)1. or (2); or attempted felony murder in violation of s. 782.051; and

(2) The victim of any offense described in subsection (1) was a law enforcement officer, part-time law enforcement officer, or auxiliary law enforcement officer, as those terms are defined in s. 943.10, engaged in the lawful performance of a legal duty.

Section 2. This act shall take effect October 1, 2008.

Approved by the Governor May 28, 2008.

Filed in Office Secretary of State May 28, 2008.