

H.B. 87

ATTEMPTED AGGRAVATED MURDER AMENDMENTS

SENATE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 13, 2013 1:47 PM

Senator **Peter C. Knudson** proposes the following amendments:

1. *Page 1, Line 14:*

14 years and up to life **; and**

▶ provides that the court may impose a lesser penalty if it finds a lesser sentence to be in the interests of justice and states its reasons on the record .

2. *Page 1, Line 27 through Page 2, Line 28:*

27 (a) **(i)** a capital felony, or a felony punishable by imprisonment for life without parole, is a

28 first degree felony ~~{, except that}~~ **;**

(ii) except as provided in Subsection (2), an attempt to commit aggravated murder, Section 76-5-202,

3. *Page 2, Line 39:*

39 (d) except as provided in Subsection ~~{(2)}~~ **(3)** , any of the following offenses is a first degree

4. *Page 2, Line 51:*

(2) If, when imposing a sentence under Subsection (1)(a)(ii), a court finds that a lesser term than the term described in Subsection (1)(a)(ii) is in the interests of justice and the court states the reasons for this finding on the record, the court may impose a term of imprisonment of not less than:

(a) 10 years and which may be for life; or

(b) six years and which may be for life.

51 ~~{(2)}~~ **(3)** If, when imposing a sentence under Subsection (1)(d), a court finds that a lesser