

H.B. 240

JUDICIAL DISCRETION IN SENTENCING AMENDMENTS

Senator **Daniel W. Thatcher** proposes the following amendments:

1. Page 1, Line 15:

15 minimum sentence provided by law;

= ▶ exempts specified sexual offenses from the judicial discretion to reduce a sentence;

2. Page 3, Line 89:

(iii) Section 76-5-301.1, child kidnapping;

(iv) Section 76-5-302, aggravated kidnapping;

(v) Section 76-5-402, rape, if the person is sentenced under Subsection 76-5-402(3)(b), (3)(c), or

(4);

(vi) Section 76-5-402.1, rape of a child;

(vii) Section 76-5-402.2, object rape, if the person is sentenced under Subsection 76-5-402.2(1)(b),

(1)(c), or (2);

(viii) Section 76-5-402.3, object rape of a child;

(ix) Section 76-5-403, forcible sodomy, if the person is sentenced under Subsection 76-5-403(4)(b),

(4)(c), or (5);

(x) Section 76-5-403.1, sodomy on a child;

= (xi) Section 76-5-404, forcible sexual abuse, if the person is sentenced under Subsection 76-5-404(2)(b) or (3);

(xii) Subsections 76-5-404.1(4) and (5), aggravated sexual abuse of a child;

(xiii) Section 76-5-405, aggravated sexual assault;

(xiv) any attempt to commit a felony listed in Subsection (6), (8), or (10); or

89 {(iii)} (xv) an offense for which the minimum penalty is life in prison without parole.