

S.B. 8

SENTENCING IN CAPITAL CASES AMENDMENTS

Senator **Lyle W. Hillyard** proposes the following amendments:

1. Page 7, Line 184: After "(8)" insert "(a)"
2. Page 7, Line 188: After "before the" insert "sentencing"
3. Page 7, Line 189: After Line 189 insert:

"(b) If the appellate court precludes the imposition of the death penalty under Subsection (8)(a), but the appellate court finds that sentencing the defendant to life in prison without parole is likely to result in a manifest injustice, it may remand the case to the sentencing court for further sentencing proceedings to determine if the defendant should serve a sentence of life in prison without parole or an indeterminate prison term of not less than 20 years and which may be for life."