



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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February 13, 2013

Mr. President:

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 87**, ATTEMPTED AGGRAVATED MURDER AMENDMENTS, by Representative L. Perry, with 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

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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.

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

Respectfully,

Mark B. Madsen
Committee Chair

Voting: 4-0-3

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