



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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NOTICE OF BILL RETURNED TO THE RULES COMMITTEE

March 8, 2016

Mr. President:

The Judiciary, Law Enforcement, and Criminal Justice Committee has returned **1st Sub. H.B. 136**, HUMAN TRAFFICKING AMENDMENTS, by Representative P. Ray, to the Rules Committee with the following amendments:

1. *Page 5, Lines 132 through 146:*

- 132 ~~[(f)]~~ (i) sexual abuse or aggravated sexual abuse of a child, Section 76-5-404.1.
- 133 ~~{(3)(a) If a notice of intent to seek the death penalty has been filed,~~
 aggravated murder
- 134 ~~is a capital felony.~~
- 135 ~~—(b) If a notice of intent to seek the death penalty has not been filed, aggravated~~
 murder
- 136 ~~is a noncapital first degree felony punishable as provided in Section 76-3-207.7.~~
- 137 ~~—(c) (i) Within 60 days after arraignment of the defendant, the prosecutor may~~
 file notice
- 138 ~~of intent to seek the death penalty. The notice shall be served on the defendant or~~
 defense
- 139 ~~counsel and filed with the court.~~
- 140 ~~—(ii) Notice of intent to seek the death penalty may be served and filed more than~~
 60
- 141 ~~days after the arraignment upon written stipulation of the parties or upon a finding~~
 by the court
- 142 ~~of good cause.~~
- 143 ~~—(d) Without the consent of the prosecutor, the court may not accept a plea of~~
 guilty to
- 144 ~~noncapital first degree felony aggravated murder during the period in which the~~

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prosecutor may

145 **~~file a notice of intent to seek the death penalty under Subsection (3)(c)(i).~~**}

146 (e) If the defendant was younger than 18 years of age at the time the offense was

Respectfully,

Mark B. Madsen
Committee Chair

Voting: --

14 HB0136.SCI.wpd 3/8/16 3:13 pm NBrady/NWB SCA/NWB

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