

2nd Sub. H.B. 405 JUVENILE SENTENCING AMENDMENTS

Representative **V. Lowry Snow** proposes the following amendments:

1. *Page 2, Lines 52 through 53:*

52 (4) Subsection (2) does not apply if the prisoner is younger than 18 years of age at the
53 time the offense listed in Subsection (5) is committed **and is sentenced on or after May 10, 2016** .

2. *Page 4, Lines 91 through 92:*

91 (b) Subsections (2)(a)(i) and (2)(a)(iii) do not apply if the person was younger than 18
92 years of age at the time the offense was committed **and was sentenced on or after May 10, 2016** .

3. *Page 7, Lines 205 through 207:*

205 (1) (a) The sentencing option of life without parole provided in Sections 76-3-201 and
206 76-3-207 applies only to those capital felonies for which the offender ~~{was 18 years of age or~~
207 ~~older at the time the offense was committed and}~~ is sentenced on or after April 27, 1992.

4. *Page 7, Line 210 through Page 8, Line 214:*

210 (2) An offender, who commits a capital felony prior to April 27, 1992, but is sentenced
211 on or after April 27, 1992, shall be given the option, prior to a sentencing hearing pursuant to
212 Section 76-3-207, to proceed either under the law which was in effect at the time the offense
213 was committed or under the additional sentencing option of life in prison without parole
214 provided in Sections 76-3-201 and 76-3-207.

(3) The sentencing option of life without parole has no effect on sentences imposed on an offender who was younger than 18 years of age at the time the offense was committed and was sentenced on or after May 10, 2016.

5. *Page 8, Lines 224 through 225:*

224 (b) Subsection (2)(a)(i) does not apply if the person was younger than 18 years of age
225 at the time the offense was committed **and was sentenced on or after May 10, 2016** .

6. *Page 8, Lines 228 through 233:*

228 Notwithstanding any provision of law, a person may not be sentenced to life without
229 parole if convicted of a crime punishable by life without parole if, at the time of the
230 commission of the crime, the person was younger than 18 years of age. The maximum

231 punishment that may be imposed on a person described in this section is ~~{life with the~~
232 ~~possibility of parole}~~ an indeterminate prison term of not less than 25 years and that may be for
life . This section shall only apply prospectively to individuals sentenced on or after
233 May 10, 2016.