

4th Sub. S.B. 138

VIOLENCE, DISORDER, AND LOOTING ENFORCEMENT PROTECTION ACT

HOUSE FLOOR AMENDMENTS

AMENDMENT 2

MARCH 4, 2021 4:15 PM

Representative **Andrew Stoddard** proposes the following amendments:

1. Page 3, Line 81 through Page 3, Line 83:

81 (e) first degree felony is an indeterminate prison term of not less than five years in

82 addition to the statutory minimum prison term for the offense, and which may be for life.

**(7) Notwithstanding Subsection (6), the offenses in:**

**(a) Subsections (2)(e), (f), (j), (k), and (n) may not be enhanced beyond a third degree felony; and**

**(b) Subsections (2)(g), (i), and (l) may not be enhanced beyond a second degree felony.**

**(8) The sentencing enhancement described in this section may not be applied if:**

**(a) applying the sentencing enhancement provided for in this section would result in a lower maximum penalty than the penalty provided for under the section that describes the offense for which the person is being sentenced; or**

**(b) another enhancement is applied.**

**(9) The prosecuting attorney, or grand jury if an indictment is returned, shall cause to be subscribed upon the information or indictment notice that the defendant is subject to the enhanced penalties provided under this section.**

83 ~~{(7)}~~ **(10)** (a) A motor vehicle operator who is fleeing from a riot shall exercise due care.