

Amend SB 4 (house committee report) as follows:

(1) On page 4, line 10, strike "and (b-2)" and substitute "(b-2), and (b-3)".

(2) On page 4, line 12, strike "and (b-2)" and substitute "(b-2), and (b-3)".

(3) On page 6, between lines 12 and 13, insert the following:

(b-3) The court may impose a sentence for a term of years that is less than the minimum term required by this section, but not less than the minimum term required for the applicable category of offense under Subchapter C, Chapter 12, if, after considering the nature and circumstances of the offense and the history and characteristics of the defendant, the court makes a written finding that:

(1) the imposition of the minimum term otherwise required by this section would be unduly harsh; and

(2) the imposition of the sentence authorized by this subsection would maintain public safety and would not depreciate the seriousness of the offense or promote disrespect for the law.

(4) On page 6, lines 13 and 14, strike "Sections 20.06(e) and (f), Penal Code, are amended" and substitute "Section 20.06, Penal Code, is amended by amending Subsections (e) and (f) and adding Subsection (h)".

(5) On page 6, between lines 25 and 26, insert the following:

(h) Notwithstanding Subsection (e) or (f), the court may impose a sentence for a term of years that is less than the minimum term required by either of those subsections, but not less than the minimum term required for the applicable category of offense under Subchapter C, Chapter 12, if, after considering the nature and circumstances of the offense and the history and characteristics of the defendant, the court makes a written finding that:

(1) the imposition of the minimum term otherwise required by Subsection (e) or (f), as applicable, would be unduly harsh; and

(2) the imposition of the sentence authorized by this subsection would maintain public safety and would not depreciate

the seriousness of the offense or promote disrespect for the law.

(6) On page 6, line 26, strike "Section 20.07(b), Penal Code, is amended" and substitute "Section 20.07, Penal Code, is amended by amending Subsection (b) and adding Subsection (b-1)".

(7) On page 7, between lines 15 and 16, insert the following:

(b-1) Notwithstanding Subsection (b), the court may impose a sentence for a term of years that is less than the minimum term required by that subsection, but not less than the minimum term required for the applicable category of offense under Subchapter C, Chapter 12, if, after considering the nature and circumstances of the offense and the history and characteristics of the defendant, the court makes a written finding that:

(1) the imposition of the minimum term otherwise required by Subsection (b) would be unduly harsh; and

(2) the imposition of the sentence authorized by this subsection would maintain public safety and would not depreciate the seriousness of the offense or promote disrespect for the law.