

Amend CSSB 4 (senate committee report) as follows:

(1) Strike the recital to SECTION 4 of the bill, amending Section 20.05, Penal Code (page 2, lines 46-48), and substitute the following:

Section 20.05, Penal Code, is amended by amending Subsections (a) and (b) and adding Subsections (b-1), (b-2), and (b-3) to read as follows:

(2) In SECTION 4 of the bill, in amended Section 20.05(b), Penal Code (page 2, line 65), strike "and (b-2)" and substitute ", (b-2), and (b-3)".

(3) In SECTION 4 of the bill, immediately following added Section 20.05(b-2), Penal Code (page 3, between lines 50 and 51), 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 determines 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) Strike the recital to SECTION 5 of the bill, amending Section 20.06, Penal Code (page 3, lines 51-52), and substitute the following:

Section 20.06, Penal Code, is amended by amending Subsections (e) and (f) and adding Subsection (h) to read as follows:

(5) In SECTION 5 of the bill, immediately following amended Section 20.06(f), Penal Code (page 3, between lines 63 and 64), 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 determines 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) Strike the recital to SECTION 6 of the bill, amending Section 20.07, Penal Code (page 3, lines 64-65), and substitute the following:

Section 20.07, Penal Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(7) In SECTION 6 of the bill, immediately following amended Section 20.07(b), Penal Code (page 4, between lines 11 and 12), 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 determines 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.