

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Carver

- 1 Amend printed bill, page 7, line 24, strike "(A)".
- 2 Page 8, strike lines 5 through 13.
- 3 Page 10, line 11, strike "(2)(a)(III)(A)" and substitute "(2)(a)(III)".
- 4 Page 11, line 18, strike "(7);" and substitute "(10)(a)(III), and
5 (10)(a)(IV);".
- 6 Page 11, line 18, before "as" insert "and (10)(a)(V)".
- 7 Page 12, strike lines 1 through 11 and substitute:
8 "(10) (a) Except for a level 1 drug felony, the presence of one or
9 more of the following aggravating circumstances at the time of the
10 commission of a drug felony offense requires the court, if it sentences the
11 defendant to incarceration, to sentence the defendant to a term of at least
12 the midpoint in the presumptive range but not more than the maximum
13 term of the aggravated range:
14 (III) The defendant was under confinement, in prison, or in any
15 correctional institution as a convicted felon, or an escapee from any
16 correctional institution for another felony; ~~or~~
17 (IV) The defendant was on probation for or on bond while
18 awaiting sentencing following revocation of probation for a delinquent
19 act that would have constituted a felony if committed by an adult; OR
20 (V) THE DEFENDANT COMMITTED A VIOLATION OF SECTION 18-18-
21 405 (2)(a)(III).".

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