

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 966, Page 35, Section 513.653, Line 19, by inserting after all of said section and  
3 line the following:  
4

5 "558.043. Notwithstanding any other provision of law, in sentencing a person convicted of  
6 an offense for which there is a statutory minimum sentence or a minimum prison term required by  
7 section 558.019 but that did not:

8 (1) Include the use, attempted use, or threatened use of serious physical force by the  
9 defendant against another person or result in the serious physical injury of another person by the  
10 defendant;

11 (2) Involve any sexual offense by the defendant against a minor other than an offense  
12 involving sexual contact if the victim was fourteen years of age or older and the defendant was not  
13 more than four years older than the victim and the sexual contact was consensual; or

14 (3) Include the brandishing or discharge of a firearm by the defendant,

15  
16 the court may depart from the applicable statutory minimum sentence or minimum prison term  
17 required by section 558.019 if the court finds substantial and compelling reasons on the record that,  
18 giving due regard to the nature of the offense, the history and character of the defendant, and his or  
19 her chances of successful rehabilitation, imposition of the statutory minimum sentence or minimum  
20 prison term required by section 558.019 would result in substantial injustice to the defendant or is  
21 not necessary for the protection of the public."; and

22  
23 Further amend said bill by amending the title, enacting clause, and intersectional references  
24 accordingly.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_