

Hall of the House of Representatives

91st General Assembly - Regular Session, 2017

Amendment Form

Subtitle of House Bill No. 1798

AMENDING THE BURDEN OF PROOF REQUIRED DURING THE SENTENCING PHASE OF A TRIAL
WHEN THE STATE SEEKS THE DEATH PENALTY.

Amendment No. 1 to House Bill No. 1798

Amend House Bill No. 1798 as originally introduced:

Page 1, delete lines 23 through 30, and substitute the following:

"(a) The jury shall impose a sentence of death if the jury
unanimously returns written findings that:

(1) An aggravating circumstance exists beyond ~~a reasonable~~ any
doubt;

(2) Aggravating circumstances outweigh beyond ~~a reasonable~~ any
doubt all mitigating circumstances found to exist; ~~and~~

(3) Aggravating circumstances justify a sentence of death beyond
~~a reasonable~~ any doubt; and

(4) The defendant is guilty of each element of the underlying
offense beyond any doubt."



The Amendment was read _____

By: Representative Blake

BPG/TDW - 03-03-2017 14:46:35

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Chief Clerk