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PROPOSED AMENDMENT TO
ASSEMBLY BILL NO. 13
FIRST REPRINT

PREPARED FOR SENATOR CARE

MAY 26, 2003

PREPARED BY THE LEGAL DIVISION

NOTE: THIS DOCUMENT SHOWS PROPOSED AMENDMENTS IN CONCEPTUAL FORM. THE LANGUAGE AND ITS PLACEMENT IN THE OFFICIAL AMENDMENT MAY DIFFER.

Amend section 3 of the bill to read as follows:

Sec. 3. NRS 175.556 is hereby amended to read as follows:

175.556 1. In a case in which the death penalty is sought, if a jury is unable to reach a unanimous verdict upon the sentence to be imposed, ~~[the Supreme Court shall appoint two district judges from judicial districts other than the district in which the plea is made, who shall with] the district judge who conducted the trial [; or his successor in office, conduct the required penalty hearing to determine the presence of aggravating and mitigating circumstances, and give sentence accordingly. A sentence of death may be given only by unanimous vote of the three judges, but any other sentence may be given by the vote of a majority.]~~ *or accepted the plea of guilty shall sentence the defendant to life without the possibility of parole or impanel a new jury to determine the sentence.*

2. In a case in which the death penalty is not sought, if a jury is unable to reach a unanimous verdict upon the sentence to be imposed, the trial judge shall impose the sentence.