

On page 4, after line 4, of the House Engrossed bill, insert: "

**Section 4. That a NEW SECTION be added:**

The sentencing court may impose a sentence other than that which is required by § 32-23-4.6, 32-23-4.7, or 32-23-4.9, if the court finds that mitigating circumstances exist which require a departure from the mandatory sentence imposed. The court's finding of mitigating circumstances and the factual basis relied upon by the court must be in writing."