

HR 1695 IH

113th CONGRESS

1st Session

H. R. 1695

To amend title 18, United States Code, to prevent unjust and irrational criminal punishments.

IN THE HOUSE OF REPRESENTATIVES

April 24, 2013

Mr. SCOTT of Virginia (for himself, Mr. MASSIE, Mr. CONYERS, Ms. BASS, Mr. COHEN, Mr. RICHMOND, and Mr. JOHNSON of Georgia) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prevent unjust and irrational criminal punishments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the `Justice Safety Valve Act of 2013'.

SEC. 2. AUTHORITY TO IMPOSE A SENTENCE BELOW A STATUTORY MINIMUM.

Section 3553 of title 18, United States Code, is amended by adding at the end the following:

`(g) Authority To Impose a Sentence Below a Statutory Minimum To Prevent an Unjust Sentence-

`(1) GENERAL RULE- Notwithstanding any provision of law other than this subsection, the court may impose a sentence below a statutory minimum if the court finds that it is necessary to do so in order to avoid violating the requirements of subsection (a).

`(2) COURT TO GIVE PARTIES NOTICE- Before imposing a sentence under paragraph (1), the court shall give the parties

reasonable notice of the court's intent to do so and an opportunity to respond.

`(3) STATEMENT IN WRITING OF FACTORS- The court shall state, in the written statement of reasons, the factors under subsection (a) that require imposition of a sentence below the statutory minimum.

`(4) APPEAL RIGHTS NOT LIMITED- This subsection does not limit any right to appeal that would otherwise exist in its absence.'.

END