

116TH CONGRESS
1ST SESSION

S. 399

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2019

Mr. PAUL (for himself and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Justice Safety Valve
5 Act of 2019”.

6 **SEC. 2. AUTHORITY TO IMPOSE A SENTENCE BELOW A**
7 **STATUTORY MINIMUM.**

8 Section 3553 of title 18, United States Code, is
9 amended—

1 (1) by redesignating subsection (g) as sub-
2 section (h); and

3 (2) by inserting after subsection (f) the fol-
4 lowing:

5 “(g) AUTHORITY TO IMPOSE A SENTENCE BELOW A
6 STATUTORY MINIMUM TO PREVENT AN UNJUST SEN-
7 TENCE.—

8 “(1) GENERAL RULE.—Notwithstanding any
9 provision of law other than this subsection, the court
10 may impose a sentence below a statutory minimum
11 if the court finds that it is necessary to do so in
12 order to avoid violating the requirements of sub-
13 section (a).

14 “(2) COURT TO GIVE PARTIES NOTICE.—Before
15 imposing a sentence under paragraph (1), the court
16 shall give the parties reasonable notice of the court’s
17 intent to do so and an opportunity to respond.

18 “(3) STATEMENT IN WRITING OF FACTORS.—
19 The court shall state, in the written statement of
20 reasons, the factors under subsection (a) that re-
21 quire imposition of a sentence below the statutory
22 minimum.

1 “(4) APPEAL RIGHTS NOT LIMITED.—This sub-
2 section does not limit any right to appeal that would
3 otherwise exist in its absence.”.

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