

1 In imposing a Level One or Two punishment, the judge may consider the aggravating and
2 mitigating factors in subsections (d) and (e) in determining the appropriate sentence. If there
3 are no grossly aggravating factors in the case, the judge must weigh all aggravating and
4 mitigating factors and impose punishment as required by subsection (f)."

5 **SECTION 2.** This act becomes effective December 1, 2011, and applies to
6 offenses committed on or after that date.