

SENTENCING GUIDELINES: TECHL. AMENDMENTS



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FISCAL ANALYSIS

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HOUSE BILL 5576 WITH COMMITTEE AMENDMENT

Sponsor: Rep. Jennifer Faunce

Committee: Criminal Justice

FLOOR ANALYSIS - 2/12/02

Analyst(s): Marilyn Peterson

SUMMARY

The bill would amend the Code of Criminal Procedure to make technical amendments to a portion of the sentencing guidelines law. It would have no significant fiscal impact on the state or local units of government.

ADDITIONAL INFORMATION:

Each time statutory felony penalties are created or changed, companion amendments are made to associated sentencing guidelines found in the Code of Criminal Procedure. When many felonies are addressed by a single section of guidelines statute, there is an increased likelihood that guidelines legislation will be amending a section that was recently amended by prior guidelines legislation. To prevent inadvertently changing sentencing guidelines for a felony other than the one under discussion, the legislature adopts a "conflicts" substitute bill that incorporates recent statutory changes as well as those being proposed by the legislation at hand.

The bill would split the contents of a single guidelines section into five sections. Instead of the one section providing guidelines for 32 felony offenses, five sections would provide guidelines for four to nine offenses each, thereby reducing the risk of drafting errors and the need for conflicts substitutes.