

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means by Prior Reference
Vote:	10 - 0 - 0
Yeas:	Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith J., Stiegler, Whisnant, Barker
Nays:	0
Exc.:	0
Prepared By:	Shannon Sivell, Counsel
Meeting Dates:	3/19, 4/3

WHAT THE MEASURE DOES: Increases punishment for second and subsequent convictions for unlawful possession of a firearm. Deletes provisions amending unlawful possession of a firearm and reduces felon in possession of a firearm to a level 3 on the sentencing guidelines rather than a level 6, except when the offender has a previous conviction for a person felony. Elevates felon in possession of a firearm to a level 8 when the offender has a previous conviction for a person felony.

ISSUES DISCUSSED:

- Provisions of the measure
- Amendment in the works

EFFECT OF COMMITTEE AMENDMENT: Deletes provisions amending unlawful possession of a firearm and reduces felon in possession of a firearm to a level 3 on the sentencing guidelines rather than a level 6, except when the offender has a previous conviction for a person felony. Elevates felon in possession of a firearm to a level 8 when the offender has a previous conviction for a person felony.

BACKGROUND: The intent of this bill is to increase the penalty for violent offenders who possess firearms while reducing the level of supervision and prison exposure for non violent offenders. A large number of convictions for felon in possession of a firearm involve persons with prior felony convictions for property crimes or other non violent crimes. These types of non violent offenders are currently a level 6 on the sentencing grid block. Under HB 2857A person with no prior convictions for person felonies would be a level 3 on the sentencing grid. The measure would increase penalties for offenders with a prior conviction for any person felony by making them a level 8 on the crime sentencing grid. As such, their presumptive sentence would be a minimum of 27 months in prison.