

**SB 897 -1 STAFF MEASURE SUMMARY**

**Senate Committee On Judiciary**

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**Prepared By:** Josh Nasbe, Counsel

**Sub-Referral To:** Joint Committee On Ways and Means

**Meeting Dates:** 4/12

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**WHAT THE MEASURE DOES:**

Creates crime of militia terrorism. Applies crime to person who, together with two other persons, physically occupies public property, and at least one of the persons remains on the property for more than 48 hours following lawful direction to leave and at least one of the persons possesses a firearm. Punishes as Class C felony

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

-1 Replaces the measure. Applies crime of militia terrorism to person who, together with nine other persons, physically occupies public property, and at least one of the persons remains on the property for more than 48 hours following lawful direction to leave, at least two of the occupying persons possess a firearm and at least one of the persons brandishes or openly displays a firearm. Requires defendant to have knowledge of each these circumstances. Punishes as Class C felony.

**BACKGROUND:**

Under current law, criminal trespass is punished as a Class C misdemeanor and criminal trespass with a firearm is punished as a Class A misdemeanor.