

HB 3078 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Josh Nasbe, Counsel

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 4/12

WHAT THE MEASURE DOES:

Modifies repeat property offender sentences. Reduces presumptive sentences from 24 months and 18 months. to 19 months and 13 months, respectively. Reduces presumptive sentence applicable to robbery in the third degree, mail theft, criminal possession of forged instrument and fraudulent use of credit card. Increases number of predicate convictions necessary for repeat offender sentence to apply from one or two to four and eliminates specified predicate convictions. Authorizes court to impose downward dispositional departure from presumptive sentence. Eliminates two month sentencing enhancement for additional previous convictions.

Provides for additional sentencing modifications. Authorizes Department of Corrections to reduce term of incarceration for up to six months, if inmate meets specified criteria, including participation in parenting-related programming. Modifies Family Sentencing Alternative Pilot Program. Authorizes court to consider eligibility for program as downward departure from prison sentence. Increases maximum period of short term transitional leave from 90 days to 180 days. Repeals sunset of short term transitional leave to 30 days.

Makes appropriations for Family Sentencing Alternative Pilot Program, Justice Reinvestment Program and Domestic and Sexual Violence Services Fund.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND: