

SB 357 A STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 5/25

WHAT THE MEASURE DOES:

Reduces penalty to Class C misdemeanor for crime of interfering with public transportation when it involves trespassing on vehicle or station, unless person has three previous convictions for trespassing on public transportation vehicle or station.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Class A misdemeanor of interfering with public transportation (IPT) includes knowingly entering or remaining unlawfully in or on a public transit vehicle or station. By way of comparison, the Class C misdemeanor of criminal trespass in the second degree is committed if a person enters or remains in a motor vehicle or in or upon premises. In part, the crime of IPT operates to increase the severity of trespassing when it is committed on public transportation property. Similarly, conduct constituting IPT - fare evasion - could also be prosecuted as the Class C misdemeanor of theft in the third degree.

Senate Bill 357-A provides that this form of committing IPT is a Class C misdemeanor, unless the offender has at least three prior convictions for this form of IPT, in which case the offense is a Class A misdemeanor.