

SB 323 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Whitney Perez, Counsel

Meeting Dates: 2/16

WHAT THE MEASURE DOES:

Expands Arson in the First and Second Degree to include causing a fire or explosion as a result of knowingly manufacturing a controlled substance.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

It is currently considered Arson in the Second Degree if a person knowingly manufactures methamphetamine and causes a fire or explosion that damages a building or property of another in an amount exceeding \$750. Arson in the Second Degree is a Class C felony. It is considered Arson in the First Degree if a person knowingly manufactures methamphetamine and causes a fire or explosion that either damages protected property or damages property and creates a risk to persons or protected property. Arson in the First Degree is an A felony. Protected property means any structure, place or thing customarily occupied by people, including public buildings and forestland.

Senate Bill 323 modifies these crimes by replacing methamphetamine with the manufacture of a controlled substance. It also defines manufacture and controlled substance.