

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 21, 2018

Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB18-166 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

1 Amend printed bill, page 2, line 11, strike "(1)(d)" and substitute "(1)(d);
2 and **add** (1)(a.5) and (1)(d.5)".

3 Page 3, after line 9 insert:

4 "(a.5) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1)(a)
5 OF THIS SECTION, THE MAXIMUM SENTENCE FOR A CLASS 2 MISDEMEANOR
6 SHALL BE TWELVE MONTHS FOR:

7 (I) CRIMES AGAINST A PERSON, INCLUDING BUT NOT LIMITED TO
8 FALSE IMPRISONMENT AS DESCRIBED IN SECTION 18-3-303 (2);

9 (II) CRIMES INVOLVING FAMILY RELATIONS COMMITTED AGAINST
10 A CHILD, INCLUDING BUT NOT LIMITED TO CHILD ABUSE AS DESCRIBED IN
11 SECTION 18-6-401; AND

12 (III) CRIMES INVOLVING FAMILY RELATIONS THAT INVOLVE
13 DANGER TO A PERSON, INCLUDING BUT NOT LIMITED TO VIOLATION OF A
14 PROTECTION ORDER AS DESCRIBED IN SECTION 18-6-803.5".

15 Page 3, after line 27 insert:

16 "(d.5) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1)(d)
17 OF THIS SECTION, THE MAXIMUM SENTENCE FOR A CLASS 2 DRUG
18 MISDEMEANOR SHALL BE TWELVE MONTHS FOR CRIMES INVOLVING
19 CONTROLLED SUBSTANCES, INCLUDING BUT NOT LIMITED TO UNLAWFUL
20 USE OF A CONTROLLED SUBSTANCE AS DESCRIBED IN SECTION 18-18-404
21 (1)(a)".

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