

# SENTENCING: REORGANIZE GUIDELINES, ABOLISH COMMISSION



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FISCAL ANALYSIS

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**HOUSE BILL 5389 AS ENROLLED**

**Sponsor:** Rep. Bill McConico

**ENROLLED ANALYSIS - 11/5/02**

**Analyst(s):** Marilyn Peterson  
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**HOUSE BILL 5390 AS ENROLLED**

**Sponsor:** Rep. William J. O'Neil

**HOUSE BILL 5391 AS ENROLLED**

**Sponsor:** Rep. Jennifer Faunce

**HOUSE BILL 5392 AS ENROLLED**

**Sponsor:** Rep. Larry Julian

**HOUSE BILL 5393 AS ENROLLED**

**Sponsor:** Rep. Jennifer Faunce

**House Committee:** Criminal Justice

**Senate Committee:** Judiciary

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## SUMMARY

House Bills 5389 through 5393 constitute a package of bills that would divide felony sentencing guidelines into a larger number of statutory sections, thus reducing the need for "conflict" substitute bills necessitated by recent amendments to an affected section of law. The bills would make no substantive changes to the guidelines, and therefore this aspect of the bills would have no significant fiscal implications for the state or local units of government.

House Bill 5392 also would delete provisions for establishing and maintaining the sentencing guidelines commission, which has not existed or met as a body for several years. Funding for commission staff has been maintained, however. Commission expenditures in FY 2000-01 totaled approximately \$78,000. The allocation for FY 2001-02 was \$79,600, and year-to-date expenditures as of mid-October 2002 were under \$40,000. Following enrollment of HB 5392, no allocation for the commission was made in the Legislative Council budget for FY 2002-03. Enactment of the bill enables resources that otherwise might have been spent on commission expenses to be utilized elsewhere.