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BILL ANALYSIS

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House Bill 6553 (as passed by the House)
Sponsor: Representative John Stakoe
House Committee: Judiciary
Senate Committee: Judiciary

Date Completed: 12-4-06

CONTENT

The bill would amend the Code of Criminal Procedure to revise the scoring of offense variable 9 (number of victims) in the application of the sentencing guidelines, and include as victims people who were placed in danger of property loss.

The Code requires the court to score points for offense variable 9 as shown in [Table 1](#).

Table 1

Condition	Points Scored
Multiple deaths occurred	100
There were 10 or more victims	25
There were 2 to 9 victims	10
There were fewer than 2 victims	0

Under the bill, the court would have to score points for offense variable 9 as shown in [Table 2](#).

Table 2

Condition	Points Scored
Multiple deaths occurred	100
There were 10 or more victims who were placed in danger of physical injury or death, or 20 or more victims who were placed in danger of property loss	25
There were 2 to 9 victims who were placed in danger of physical injury or death, or 4 to 19 victims who were placed in danger of property loss	10
There were fewer than 2 victims who were placed in danger of physical injury or death, or fewer than 4 victims who were placed in danger of property loss	0

In addition, the Code specifies that, in scoring offense variable 9, the court must count each person who was placed in danger of injury or loss of life as a victim. The bill would require counting each person who was placed in danger of physical injury or loss of life or property as a victim.

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of offenses involving victims who were placed in danger of property loss. To the extent that the bill would increase incarceration time, local governments would incur increased costs of incarceration in local facilities, which vary by county. The State would incur increased costs of incarceration in a State facility at an average annual cost of \$31,000.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.