

Senate Bill 54

Senator John Coghill

SB 54 Summary

1. **Violation of Conditions of Release (VCOR)**
2. **Sex Trafficking**
3. **C-Felony Sentencing**
4. **Sex Offender Probation**
5. **Class A Misdemeanor Sentencing**
6. **Class B Misdemeanor Sentencing**
7. **No Valid Operator's License (NVOL)**
8. **Pretrial Risk Assessments**
9. **Alcohol Safety Action Program**
10. **Administrative Parole**
11. **Disorderly Conduct**

Violation of Conditions of Release (VCOR)

Sections 3, 4, 18

SB 91

Reclassified VCOR as an arrestable, detainable violation, rather than a misdemeanor.

SB 54

Returns VCOR to a misdemeanor punishable by 0-5 days active imprisonment.

Sex Trafficking

Sections 5, 6, 7, 23, 24, 45, 48

SB 91

HB 349 (inserted into SB 91) created an inadvertent loophole to prosecution of sex trafficking in the 3rd and 4th degrees.

SB 54

Repeals inadvertent loophole and addresses over-broadness of sex trafficking statutes.

C-Felony

Section 15

SB 91

Established a presumptive range of 0-18 months suspended imprisonment for first-time felony offenders convicted of a C-felony.

SB 54

Establishes a presumptive range of 0-365 days active imprisonment for first-time felony offenders convicted of a C-felony.

Sex Offender Probation

Section 16

SB 91

Eliminated conflicting probation term lengths, leaving no minimums.

SB 54

Requires felony sex offenders serve minimum terms of probation depending on severity of offense:

- 15 years for an unclassified felony
- 10 years for an A or B felony
- 5 years for a C felony

Class A Misdemeanor Sentencing

Sections 17, 21, 22

SB 91

Established a 0-30 day presumptive sentencing range for first time class A misdemeanors, allowing 0-1 year for certain offenses and repeat convictions.

SB 54

Allows for a 0-60 day sentence for offenders with one prior similar conviction and 0-1 year for third and subsequent convictions. Includes a 5-year “look back” period.

Class B Misdemeanor Sentencing

Sections 1, 2, 19

SB 91

Reduced first- and second-time theft offenses under \$250 to non-jailable misdemeanors, and 0-5 days suspended imprisonment for third or subsequent offenses.

SB 54

Provides for 0-5 days suspended imprisonment for a first offense, 0-5 days active imprisonment for a second offense, and 0-10 days active imprisonment for third or subsequent offenses. Also reinstates misdemeanor theft recidivist provision.

No Valid Operator's License (NVOL)

Section 25

SB 91

Reclassified driving with a suspended license (DWLS) to a violation when the underlying suspension is not related to DUI.

SB 54

Similarly reclassifies driving without a valid license to an infraction.

Pretrial Risk Assessments

Section 26

SB 91

Required assessment of every defendant for risk prior to a pretrial release decision.

SB 54

Limits assessment to defendants in custody after arrest.

Alcohol Safety Action Program

Section 47

SB 91

Limited referrals to DUI and Refusal offenders.

SB 54

Expands referrals to all persons who have been referred by a court in connection with a charge or conviction of a misdemeanor involving the use of alcohol or a controlled substance.

Disorderly Conduct

Section 20

SB 91

Reduced the sentencing range for disorderly conduct to up to 24 hours.

SB 54

Increases the sentencing range for disorderly conduct to up to 5 days.

Administrative Parole

Sections 12, 13, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 42, 43, 46

SB 91

Established administrative parole.

SB 54

Eliminates administration parole.

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Questions?