

# Senate Bill 54

## An Overview

# SB 54 Summary

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

# Violation of Conditions of Release (VCOR)

Sections 1, 2, 9

## 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 3, 4, 5, 13, 14, 20, 22

## 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 6

## SB 91

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

## SB 54

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

# Sex Offender Probation

## Section 7

### 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 Misdemeanors

Sections 8, 11, 12

## SB 91

Established a 0-30 day presumptive sentencing range, 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.

# Theft 4

## Section 10

### 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 offense.



# No Valid Operator's License (NVOL)

Section 15

## 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 17

## 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 21

## SB 91

Limited referrals to DUI and Refusal offenders.

## SB 54

Expands referrals to include drug possession offenders.

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Questions?