



SPONSOR: Rep. Bolden

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 1
TO
HOUSE BILL NO. 78

AMEND House Bill No. 78 by deleting line 33 in its entirety and inserting in lieu thereof the following and redesignating accordingly:

“(4) Commits said crime against a person who is ~~62~~ 65 years of age or older; or”

FURTHER AMEND House Bill No. 78 on line 25 by adding the following after “degree” as it appears therein: “; class B felony.”

FURTHER AMEND House Bill No. 78 by deleting lines 37 through 42 in their entirety and inserting in lieu thereof the following:

“first degree shall receive a minimum sentence of:

(1) Three years at Level V; or

(2) Five years at Level V if the conviction was either of the following:

a. ~~is for~~ For an offense committed pursuant to §832(a)(3) and the deadly weapon was a firearm, and was committed within 10 7 years of the date of a previous conviction for robbery in the first degree or if the conviction is for an offense that was committed within 10 7 years of the date of termination of all periods of incarceration or confinement imposed pursuant to a previous conviction for robbery in the first degree, whichever is the later date.

b. For an offense committed within 2 years of the date of a previous conviction for robbery in the first degree or if the conviction is for an offense that was committed within 2 years of the date of termination of all periods of incarceration or confinement imposed pursuant to a previous conviction for robbery in the first degree, whichever is the later date.

SYNOPSIS

This amendment adds back in the aggravator if the crime of Robbery 2nd degree is committed against a person over a certain age, the crime elevates to Robbery 1st degree. This amendment makes that age over 65. This amendment also adds back in the sentence enhancement that if a second Robbery 1st degree where a firearm was used or threatened to be used and is committed within a certain period of time from a previous conviction, the minimum sentence is 5 years at Level 5. That period of time is changed from 10 to 7 years.