

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 2888  
**Version:** As introduced

**DATE:** March 14, 2016

**Authors:** Cornish and others

**Subject:** Sentencing Guidelines; Rejecting Proposed Changes to Drug Offense Sentences

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This bill rejects the Sentencing Guidelines Commission's proposed modifications to the guidelines and commentary related to controlled substance offenses. These modifications go into effect on August 1, 2016, unless the legislature by law provides otherwise. Below is a chart showing the proposed changes.

The following paragraph is a description of the changes in the MSGC's Report to the Legislature:

The Commission adopted a motion on a vote of 7 to 3 to create a new drug sentencing grid that establishes new presumptive sentences for first-degree sales of 65 to 125 months, depending on the criminal history score of the offender, and reduces the severity levels for first-degree and second-degree possession controlled substance crimes. Additionally, the Commission adopted both new aggravating factors and a mitigating factor applicable to controlled substance crimes.

	<b>Current</b> Presumptive Range (months)	<b>Proposed</b> Presumptive Range (months)	<b>Current</b> Presumptive Disposition	<b>Proposed</b> Presumptive Disposition
<b>Manufacture any amt of meth</b>	86-158	86-158	Prison	Prison
<b>Controlled Subst. 1st degree Sale</b>	86-158	<b>65-125</b>	Prison	Prison
<b>Controlled Subst. 1st degree Possession</b>	86-158	<b>48-108</b>	Prison	Prison
<b>Controlled Subst. 2nd degree</b>	48-108	<b>36-72</b>	Prison	<b>Stayed (CHS* 0-2); Prison (CHS 3+)</b>

\*CHS – criminal history score