

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

February 8, 2016

Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB16-051 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, strike line 3 and substitute "(1) (a); and **add**  
2 (1) (c) as follows:".

3 Page 2, strike lines 26 and 27 and substitute "in the state. EXCEPT AS  
4 DESCRIBED IN PARAGRAPH (c) OF THIS SUBSECTION (1), A COURT SHALL  
5 SENTENCE a person convicted of two or more separate crimes of violence  
6 arising out of the same incident ~~shall be sentenced for such~~".

7 Page 3, strike lines 1 and 2 and substitute "~~crimes~~ so that HIS OR HER  
8 sentences are served consecutively rather than concurrently.".

9 Page 3, after line 2 insert:

10 "(c) THE COURT MAY REQUIRE A DEFENDANT TO SERVE HIS OR HER  
11 SENTENCES CONSECUTIVELY RATHER THAN CONCURRENTLY IF THE  
12 DEFENDANT IS CONVICTED OF TWO OR MORE SEPARATE CRIMES OF  
13 VIOLENCE ARISING OUT OF THE SAME INCIDENT AND ONE OF SUCH CRIMES  
14 IS:

15 (I) AGGRAVATED ROBBERY, AS DESCRIBED IN SECTION 18-4-302;  
16 (III) ASSAULT IN THE SECOND DEGREE, AS DESCRIBED IN SECTION  
17 18-3-203; OR  
18 (III) ESCAPE, AS DESCRIBED IN SECTION 18-8-208.".

1 Page 3, strike lines 3 through 12 and substitute:

2       **"SECTION 2. Effective date - applicability.** This act takes  
3 effect July 1, 2016, and applies to offenses committed on or after said  
4 date.

5       **SECTION 3. Safety clause.** The general assembly hereby finds,  
6 determines, and declares that this act is necessary for the immediate  
7 preservation of the public peace, health, and safety.".

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