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HOUSE FISCAL AGENCY

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SB735 SUBSTITUTE

Sponsor: Sen. Jr., Bill Bullard

H-1

Committee:

Analyst(s): Peterson, Marilyn

Completed: 12/4/01

State Fiscal Impact

Local Fiscal Impact

Cost: None

Revenues: None

Cost: Indeterminate/Increase

Revenues: Indeterminate/Increase

The bill would amend the Code of Criminal Procedure to:

* Allow someone who has been convicted of aggravated stalking and has filed an appeal to be released on bail only if the court found by clear and convincing evidence that the defendant was not likely to pose a danger to others and that the appeal raised a substantial question of fact. This provision could increase local correctional costs to the extent that offenders remained in jail rather than being released on bail.

* Forbid an appearance ticket from being issued for a person arrested for assault against someone with whom he or she has or has had a dating relationship. This prohibition regarding appearance tickets currently applies to other domestic violence arrests. This provision could increase local correctional costs to the extent that offenders who might have received appearance tickets were instead detained.

* Allow warrantless arrest for an assault in which the offender has or has had a dating relationship with the victim. This warrantless arrest authority currently exists for other domestic assault situations. This provision would have no direct fiscal impact, although it could increase local correctional costs for detaining domestic violence offenders.

* Allow the court to order an offender to pay governmental expenses and costs of prosecution in a case where the offender was found guilty of criminal contempt for violation of a personal protection order. This provision could provide additional revenues for affected units of government.

* Extend current domestic violence "discharge and dismissal" provisions, whereby a first-time offender may avoid prosecution by successfully completing a term of probation, to situations where the offender had a dating relationship with the victim. This provision would have no direct fiscal impact.