



**Increases in Criminal Penalties Proposed by the 112th TGA,  
Passed or Still Pending as of May 2, 2021**

*NOTE: Bills highlighted in green have passed*

Bill Number (rows that do not list a bill number are part of the bill listed above)	Link to Fiscal Note	Creates charge or increases existing penalty?	Description of Criminal Charge	Change in Penalty	Prior Maximum Sentence for Charge	New Maximum Sentence for Charge	Total Annual Change in State Expenditures (per fiscal note)	Total Annual Change in Local Expenditures (per fiscal note)	Projected Increase in Time To Be Served By People Sentenced Each Year (based on fiscal note)
<a href="#">SB129/HB55</a>	<a href="#">Link</a>	Increasing existing penalty	Evading arrest leading to bodily injury of law enforcement officer	Class D Felony -> Class C Felony	12 years	15 years	\$12,049.00		0.41
		Increasing existing penalty	Evading arrest leading to death of law enforcement officer	Class D Felony -> Class A Felony	12 years	15 years	\$26,214.00		0.89
<a href="#">SB14/HB22</a>	<a href="#">Link</a>	Increasing existing penalty	Drag racing, including "the use of a motor vehicle... to [ascertain] the maximum speed of the vehicle"	Class B misdemeanor -> Class A misdemeanor	6 months	11 months, 29 days		\$265,700.00	9.97
<a href="#">SB226/HB47</a>	<a href="#">Link</a>	Increasing existing penalty	First degree murder of a "good Samaritan," or someone rendering assistance to a person in need	Adds aggravating factors that can increase sentencing for first-degree murder	Life in prison	Death penalty	\$0.00	\$0.00	0.00

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<a href="#">SB246/HB679</a>	<a href="#">Link</a>	Increasing existing penalty	Boating under the influence	Aligns penalties for boating under the influence with driving under the influence	Increasing penalties with each subsequent offense up to a Class A Misdemeanor for 3 or more offenses, or a maximum of 11 months, 29 days	Increasing penalties with each subsequent offense up to a Class C Felony for six or more offenses, or a maximum of 15 years		\$41,700.00	1.56
<a href="#">SB253/HB108</a>	<a href="#">Link</a>	Increasing existing penalty	Voluntary manslaughter	Class C felony -> Class B felony	15 years	30 years	\$3,328,200.00		113.25
<a href="#">SB284/HB1143</a>	<a href="#">Link</a>	Increasing existing penalty	Driving on a canceled, suspended, or revoked license after at least 2 prior offenses of driving on a canceled, suspended, or revoked license when license was suspended	Class A misdemeanor -> Class E felony	11 months, 29 days	6 years	\$4,337,700.00	(\$359,100.00)	134.13

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<a href="#">SB285/HB1145</a>	<a href="#">Link</a>	Increasing existing penalty	Critical infrastructure vandalism of farms, including property, vehicles, equipment, animals or crops contained on a farm	Class A misdemeanor-> Class E felony	11 months, 29 days	6 years	\$17,600.00	(\$1,100.00)	0.56
<a href="#">SB358/HB104</a>	<a href="#">Link</a>	Increasing existing penalty	Expands definition of first responder to include healthcare providers	Potential upgrade in sentencing for assault (to a Class A misdemeanor) or aggravated assault (to a Class C felony) given first responder status of healthcare provider	Dependent on nature of assault	Assault: 11 months, 29 days Aggr. Assault: 15 years			
<a href="#">SB435/HB474</a>	<a href="#">Link</a>	Increasing existing penalty Increasing existing penalty	Indecent exposure Indecent exposure (with priors)	Class A/B Misdemeanors -> Class E Felony Class E felony -> Class C felony	11 months, 29 days, 6 years	6 years 15 years	\$335,023.00 \$26,155.00	(\$15,140.00)	10.83 0.89
<a href="#">SB442/HB343</a>	<a href="#">Link</a>	Creates charge	Possessing a telecommunication device inside a penal institution	Class E felony		6 years	\$0.00	\$0.00	0.00
<a href="#">SB451/HB881</a>	<a href="#">Link</a>	Creates charge	Aggravated rioting charge for persons traveling from outside state	Class E felony		6 years	\$3,527.00		0.12

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		Increasing existing penalty	Aggravated rioting with at least one aggravating circumstance	Class E felony w/ 45 day minimum -> Class E felony w/ 60 day minimum	6 years max with 45 day minimum	6 years max with 60 day minimum			
<a href="#">SB476/HB1121</a>	<a href="#">Link</a>	Creates charge	Attempt to access/obtain confidential info from DCS regarding child abuse/neglect	Class A misdemeanor		11 months, 29 days			
<a href="#">SB480/HB695</a>	<a href="#">Link</a>	Increasing existing penalty	Assault against a first responder	Class A misdemeanor - > Class E felony	11 months, 29 days	6 years	\$7,370,500.00	(\$611,100.00)	227.88
<a href="#">SB627/HB534</a>	<a href="#">Link</a>	Creates charge	Communicating a threat to commit an act of mass violence on school property	Class A misdemeanor		11 months, 29 days		\$11,700.00	0.44
		Creates charge	Failure to report a threat of mass violence on school property or at a school-related activity.	Class B misdemeanor		6 months			
<a href="#">SB628/HB430</a>	<a href="#">Link</a>	Increases existing penalty	Rape or aggravated rape of a child	Eliminates eligibility for sentencing credits	Sentence, less sentence credits	No eligibility for sentence credits	\$84,600.00		2.88
<a href="#">SB633/HB385</a>	<a href="#">Link</a>	Creates charge	Witness of medical emergency failed to immediately notify emergency services	Class A misdemeanor		11 months, 29 days			

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			Witness of medical emergency failed to immediately notify emergency services resulting in serious bodily injury  Witness of medical emergency failed to immediately notify emergency services resulting in serious bodily injury	Class E felony  Class C felony		6 years  15 years			
<a href="#">SB637/HB833</a>	<a href="#">Link</a>	Creates charge	Intimidating others from exercising civil rights expanded to mean intimidation of a law enforcement officer/judge due to perceived employment as such or damage law enforcement officer's property b/c of perceived employment as such	Class D felony		12 years	\$3,200.00		0.11

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<a href="#">SB652/HB606</a>	<a href="#">Link</a>	Increasing existing penalty	Vehicular homicide	Must serve full sentence less sentencing credits now not to exceed 15%	30 years, less sentencing credits	30 years, less sentencing credits not to exceed 15% of sentence	\$2,902,900.00		98.78
<a href="#">SB717/HB1047</a>	<a href="#">Link</a>	Increasing existing penalty	Offenses of a sexual nature	No sentencing credits permitted for listed offenses	Sentence, less sentencing credits	No eligibility for sentence reduction credits	\$24,790,400.00		843.55
<a href="#">SB765/HB786</a>	<a href="#">Link</a>	Increasing existing penalty	Theft of a firearm	Class A misdemeanor - > Class E felony	11 months, 29 days	6 years	\$3,085,742.00	(\$657,000.00)	80.36
		Increasing existing penalty	Theft of a firearm from a motor vehicle	Class A Misdemeanor - > Class D Felony	11 months, 29 days	12 years	\$789,950.00	\$0.00	26.88
		Increasing existing penalty	Unlawful possession of a firearm by a person convicted of a felony crime of violence, attempt to commit a felony crime of violence, or a felony involving use of a deadly weapon	Limits applicability of sentence credits	Standard sentence credit eligibility applies	No release eligibility until the person reaches 85% of the sentence, less credits not to reduce the sentence below 70%	\$6,557,199.00	\$0.00	223.12

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		Increasing existing penalty	Unlawful possession of a firearm by a person convicted of a felony drug offense	Limits applicability of sentence credits	Standard sentence credit eligibility applies	No release eligibility until the person reaches 85% of the sentence, less credits not to reduce the sentence below 70%	\$1,845,283.00	\$0.00	62.79
		Increasing existing penalty	Unlawful possession of a handgun by a person convicted of a felony	Limits applicability of sentence credits	Standard sentence credit eligibility applies	No release eligibility until the person reaches 85% of the sentence, less credits not to reduce the sentence below 70%	\$41,143.00	\$0.00	1.40
		Increasing existing penalty	Unlawful providing a handgun to a juvenile or permitting a juvenile to possess a handgun	Limits applicability of sentence credits	Standard sentence credit eligibility applies	No release eligibility until the person reaches 85% of the sentence, less credits not to reduce the sentence below 70%	\$0.00	\$0.00	0.00

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		Creates charge	Unlawful possession of a handgun by a person convicted of certain offenses	Class B Misdemeanor		6 months		\$11,096.00	0.42



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<a href="#">SB841/HB511</a>	<a href="#">Link</a>	Increases existing penalty	Killing in perpetration of an act of terrorism	<p>Expands the definition of an act of terrorism to include politically/ideologically /religiously motivated killing of first responders and requires prosecution of such an act as first degree murder, and sentencing must be life w/o parole or death penalty.</p> <p>Further, killing as an act of terrorism can result in a first degree murder conviction without the state being required to prove that the person had a culpable mental state other than the intent to commit an act of terrorism.</p>	Life, life without parole, death penalty	Life without parole, or death penalty			

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<a href="#">SB842/HB512</a>	<a href="#">Link</a>	Increasing existing penalty	Attempted first degree murder of a first responder	Eliminates possibility of early release if victim was first responder	60 years	Life without parole			
<a href="#">SB843/HB513</a>	<a href="#">Link</a>	Increasing existing penalty  Creates charge  Creates charge  Creates charge	Obstructing a highway  Throwing an object with intent of harming another person during a riot  Throwing an object during a riot and causing bodily injury  Intimidating or harassing an individual during a riot	Class C misdemeanor - > Class E felony  Class A misdemeanor  Class E felony  Class A misdemeanor	30 days	6 years  11 months, 29 days  6 years  11 months, 29 days	\$335,000.00		11.40
<a href="#">SB903/HB803</a>	<a href="#">Link</a>	Increases existing penalty	First or subsequent conviction of cruelty to animals against more than 9, but less than 25 non live-stock animals at the same time	Class A misdemeanor - > Class D felony	11 months, 29 days	12 years	\$1,523,475.00	(\$69,861.00)	49.22

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		Increases existing penalty	First or subsequent conviction of cruelty to animals against more than 25 non live-stock animals at the same time	Class A misdemeanor - > Class C felony	11 months, 29 days	15 years	\$218,940.00	(\$7,008.00)	7.19
<a href="#">SB331/HB382</a>	<a href="#">Link</a>	Creates charge	Photographing an individual without their consent under certain circumstances	Class A misdemeanor		11 months, 29 days			
<a href="#">SB935/HB1273</a>	<a href="#">Link</a>	Creates charge	Leaving a firearm unattended in a motor vehicle or boat	Class A misdemeanor, but only by fine		No incarceration, only fine			
<a href="#">SB946/HB1321</a>	<a href="#">Link</a>	Creates charge	Reckless endangerment committed with a deadly weapon	Class C felony		15 years	\$29,300.00		1.00
<a href="#">SB964/HB1320</a>	<a href="#">Link</a>	Creates charge	Using force or coercion to cause a person to join a criminal gang	Class A felony (victim <13 yrs) Class B felony (victim 14-16 yrs) Class C felony (victim 17-21 yrs) Class D felony (victim >21 yrs)		60 years 30 years 15 years 12 years	\$293,900.00		10.00

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<a href="#">SB970/HB1338</a>	<a href="#">Link</a>	Increases existing penalty Increases existing penalty	Aggravated burglary Especially aggravated burglary	Now a crime against person, not against property Now a crime against person, not against property	Eligible for community corrections Eligible for community corrections	No longer eligible for community corrections No longer eligible for community corrections			
<a href="#">SB1040/HB1160</a>	<a href="#">Link</a>	Creates charge	Illegal transfer of a firearm to a prohibited possessor	Class A misdemeanor		11 months, 29 days			
<a href="#">SB1066/HB1432</a>	<a href="#">Link</a>	Creates charge	Movement, alteration, defacement of a privately-owned memorial, including that depicting confederate military personnel, or alteration, concealment, movement of monuments on 2nd floor of capital	Class C misdemeanor		30 days			

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<a href="#">SB1121/HB1211</a>	<a href="#">Link</a>	Increases existing penalty	Mail theft	Charged as theft (ranges in penalty depending on value of stolen item), and creates minimum Class E felony for second offense	Graded dependent on size of theft	Same, but second offense graded not less than Class E felony, such that maximum sentence may increase to up to 6 years	\$5,900.00		0.20
<a href="#">SB1144/HB1430</a>	<a href="#">Link</a>	Increases existing penalty	Assault against current/former spouse, significant others if bodily injury incurred by victim includes certain types of injuries	Class A Misdemeanor - > Class E felony	11 months, 29 days	15 years	\$141,100.00	\$11,000.00	5.21
<a href="#">SB1184/HB981</a>	<a href="#">Link</a>	Increases existing penalty	Discharging a firearm from within a motor vehicle during a road rage incident	Class A misdemeanor - > Class D felony	11 months, 29 days	12 years	\$14,100.00		0.48
<a href="#">SB1238/HB1177</a>	<a href="#">Link</a>	Creates charge	First offense of observation without consent of someone of the opposite sex, as defined by sex on birth certificate	Class C misdemeanor		30 days			

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			Second offense of observation without consent of someone of the opposite sex, as defined by sex on birth certificate	Class B misdemeanor		6 months			
<a href="#">SB1331/HB901</a>	<a href="#">Link</a>	Increases existing penalty	Violating requirements of sexual offender registry	Class A misdemeanor - > Class E felony	11 months, 29 days	6 years	\$387,922.00	(\$17,500.00)	12.54
<a href="#">SB1373/HB1433</a>	<a href="#">Link</a>	Increases existing penalty	Reckless endangerment committed with a deadly weapon within a motor vehicle	Class E felony -> Class C felony	6 years	15 years	\$52,300.00		1.78
<a href="#">SB1378/HB1416</a>	<a href="#">Link</a>	Creates charge	Aggravated human trafficking	Class A felony		60 years, without diminishment by sentence reduction credits			
		Increases existing penalty	Trafficking a person ages 15-18 for a commercial sex act	Class B felony -> Class A felony	30 years	60 years, without diminishment by sentence reduction credits by more than 15 percent	\$190,900.00		

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<a href="#">SB1470/HB1248</a>	<a href="#">Link</a>	Creates charge	Theft of a firearm from a law enforcement vehicle	Class D felony		12 years	\$95,200.00	(\$6,600.00)	2.99
<a href="#">SB1531/HB427</a>	<a href="#">Link</a>	Creates charge	Sexual battery by certain professionals in the course of counseling	Class E felony		6 years	\$35,300.00		1.20
<a href="#">SB1591/HB951</a>	<a href="#">Link</a>	Creates charge	Engaging in conduct that puts a child in danger, meaning exposure to controlled substances and an analysis finds the substance on the child's person	Class A misdemeanor (child > 8 years old) Class D felony (child is less than 8 years old)		11 months, 29 days 12 years	\$10,600.00		0.36

**Running total change in expenditures/revenue:** \$58,891,322.00 (\$1,403,213.00) 1944.80

**Net change in state AND local expenditures/revenue:** \$57,488,109.00