

Fiscal Note

BILL # SB 1597

TITLE: second degree murder; presumptive sentence

SPONSOR: Rogers

STATUS: As Introduced

PREPARED BY: Geoffrey Paulsen

Description

The bill would increase the presumptive sentence for second degree murder by either 4 or 5 years, depending on the offender's criminal background.

Estimated Impact

The bill could increase the Department of Corrections (ADC) operating costs due to longer sentences for offenders. Any impact would depend on the number of individuals charged under the revised sentencing requirements and the cumulative impact on the ADC inmate population. Since the revised requirements would be effective only for new sentences, any additional cost will likely not occur for at least 16 years, when the increased presumptive sentence would exceed the multi-year presumptive sentence already imposed under current law.

Analysis

Under current law, second degree murder is defined as intentionally killing another person (including an unborn child) without premeditation. Second degree murder can also apply if the person knows their conduct will result in serious injury or death, or if they acted with "extreme indifference" to human life.

Second degree murder is currently punishable by a presumptive sentence of 16 years in prison. If the offender has a previous conviction for second-degree murder or a class 2 or 3 felony involving a dangerous offense, the presumptive sentence is 20 years in prison. The bill would increase these presumptive sentencing guidelines to 20 years and 25 years, respectively. The bill would not change the minimum or maximum sentence for second degree murder.

According to the Administrative Office of the Courts (AOC), there were 346 individuals convicted of second degree murder statewide in 2024, up from 231 in 2023.

Local Government Impact

None

2/20/25

