

ESB 5164 - H AMD 514

By Representative Graham

NOT ADOPTED 04/07/2021

1 On page 1, line 7, after "if" strike "a" and insert ":

2 (a) A"

3

4 On page 1, line 9, after "offender" strike "." and insert "; and

5 (b) The conduct underlying the conviction of robbery in the second
6 degree did not otherwise constitute robbery in the first degree or any
7 other most serious offense.

8 (2)"

9

10 On page 1, line 11, after "If" strike all material through
11 "persistent offender" on line 13 and insert "the offender qualifies
12 under subsection (1) of this section"

13

14 On page 1, at the beginning of line 16, strike "(2)" and insert
15 "(3)"

16

17 On page 1, at the beginning of line 17, beginning with "a" strike
18 all material through "offender" on line 19 and insert "the offender
19 qualifies under subsection (1) of this section"

20

21 On page 2, at the beginning of line 3, strike "(3)" and insert
22 "(4)"

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EFFECT: Disqualifies a person from resentencing under the bill if the conduct underlying the conviction of Robbery in the second degree otherwise constituted Robbery in the first degree or any other type of most serious offense (also known as a "strike offense").

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