5164.E AMH GRAH LEON 746

**ESB 5164** - H AMD **514**

By Representative Graham

**NOT ADOPTED 04/07/2021**

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

(a) A"

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

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

(2)"

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

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

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

On page 2, at the beginning of line 3, strike "(3)" and insert "(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"). |

**--- END ---**