

Staff Issue Paper

Alternative Recommendation to Postpone Crime Laws' Effective Dates

June 3, 2021

This paper pertains to the document entitled "Staff Issue Paper: Commission's Response to Current Legislative Situation" (May 26, 2021). Among other things, that document contained a possible recommendation that the Legislature postpone from August 1, 2021, to September 15, 2021, the effective date of crime and sentencing laws enacted in the 2021 First Special Session. This recommendation stemmed from the previous recommendation, relating to the need to change the Commission's meeting and public hearing calendar due to the legislative delay.

A Commission member raises the possibility that the Legislature may not pass the public safety omnibus bill in time for the Commission's action on July 15 or July 22 (as suggested elsewhere in the staff issue paper), and questions whether the Commission's recommendation should accommodate such a contingency. Based on this member comment, staff proposes the following alternative recommendation:

Staff recommendation. To synchronize the effective date of the special session laws with the release of the Sentencing Guidelines, staff recommends that the Commission adopt a resolution recommending that the Legislature postpone, from August 1, 2021, to September 15, 2021, the effective dates of changes to crime and sentencing laws passed on or before July 18, 2021. * For changes to crime and sentencing law passed after that date, the Commission recommends that the Legislature postpone the effective dates from August 1, 2021, to January 15, 2022.

* This date assumes adoption of the alternative revision of future meeting dates (MSGC meeting July 22). If the original revision of future meeting dates is adopted (MSGC meeting July 15), this date should be "July 11, 2021."