

HB 1496 -- Death Penalty

Sponsor: Hubbard

This bill prohibits the imposition or execution of a sentence of death on any offender for any offense, halts all pending executions, and requires resentencing of offenders currently sentenced to death by the original sentencing court.

Currently, an offense is classified for the purposes of applying the extended term and minimum prison term provisions and for determining the penalty for attempts and conspiracies as a class A felony if the authorized penalty includes death, life imprisonment, or imprisonment for a term of 20 years or more. The bill changes this to if the authorized penalty includes life imprisonment, imprisonment for life without eligibility for probation or parole, or release except by act of the Governor, or imprisonment for a term of 20 years or more.

The bill changes the provisions regarding the use of the death penalty, including the Sentencing Advisory Commission; jury trials and sentencing for the crime of first degree murder; and the crime of murder in the first degree and repeals provisions which are inapplicable after a sentence of death can no longer be imposed or executed.