

HB 2291 -- ARMED CRIMINAL ACTION

SPONSOR: Parkinson

Currently, any person who commits a felony by, with, or through the use, assistance, or aid of a dangerous instrument or deadly weapon is also guilty of armed criminal action and upon conviction must be punished by imprisonment of at least three years.

This bill specifies that any person who commits a felony or misdemeanor by, with, or through the use, assistance, or aid of a dangerous instrument or deadly weapon is also guilty of armed criminal action and upon a finding of guilt or a plea of guilty or nolo contendere must be punished by a term of imprisonment of at least 20 years to run consecutively to any other punishment provided for the crime committed by, with, or through the use, assistance or aid of a dangerous instrument or deadly weapon. A person who is found guilty or pleads guilty or nolo contendere to a second offense of armed criminal action must be sentenced to a term of imprisonment of at least 30 years, and is not eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for 30 calendar years. The term must run consecutively to any other punishment provided for the crime committed by, with, or through the use, assistance or aid of a dangerous instrument or deadly weapon. Currently, the mandatory minimum for a second offense of armed criminal action is five years.

Any person who is found guilty or pleads guilty or nolo contendere to a third or subsequent offense of armed criminal action must be sentenced to a term of life imprisonment and is not eligible for parole, probation, conditional release, or suspended imposition or execution of sentence. The term must run consecutively to any other punishment provided for the crime committed by, with, or through the use, assistance or aid of a dangerous instrument or deadly weapon. Currently, the mandatory minimum for a third or subsequent offense of armed criminal action is 10 years.

This bill is the same as HB 670 (2013).