

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6234

BILL NUMBER: SB 67

DATE PREPARED: Nov 20, 2000

BILL AMENDED:

SUBJECT: Definition of Minimum Sentence.

FISCAL ANALYST: Mark Goodpaster

PHONE NUMBER: 232-9852

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: No Fiscal Impact

Summary of Legislation: This bill eliminates a mathematical error in the definition of "minimum sentence" by changing the definition of "minimum sentence" for murder from 30 years to 45 years and by changing the definition of "minimum sentence" for a Class D felony from one year to one-half year.

Effective Date: Upon passage.

Explanation of State Expenditures: This bill resolves the current conflict in the sentencing statute concerning how minimum sentences are determined for murder and Class D felonies. Consequently, the practical effect is that no change will occur in sentencing patterns of the trial courts.

While IC 35-50-2-1(c)(1) specifies that the minimum sentence for murder is 30 years, IC 35-50-2-3 states that the fixed term is 55 years with not more than 10 years added for aggravating circumstance and 10 years subtracted for mitigating circumstances.

For Class D felonies, IC 35-50-2-1 specifies that the minimum sentence is one year while IC 35-50-2-7 specifies that the fixed term is 1.5 years with 1.5 years added as aggravators and one year subtracted for mitigators.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Trial courts.

Information Sources: Steve Johnson, Indiana Prosecuting Attorneys Council.