

HOUSE MESSAGE SUMMARY

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BILL: CS/SB 998, 1st Eng.
SPONSOR: Criminal Justice Committee and Senator Smith
SUBJECT: Criminal Justice
PREPARED BY: Senate Committee on Criminal Justice
DATE: March 18, 2002

I. Amendments Contained in Message:

House Amendment 1 – 542981 (body with title)

II. Summary of Amendments Contained in Message:

House Amendment 1 is a strike everything amendment that is almost identical to CS/SB 998 1st Eng. There are three substantive differences. One, the amendment authorizes the sentencing court to impose restitution for a conviction of falsely reporting a bomb, falsely reporting a bomb on state property, planting a hoax bomb, and all (real or hoax) weapon of mass destruction offenses. These restitution provisions are substantively similar to restitution provisions in CS/SB 1184, except that restitution is mandated in CS/SB 1184. Two, the amendment revises the definition of “weapon of mass destruction” to include a device or object “intended” to release radiation or radioactivity at a level dangerous to human or animal life (i.e., the definition would cover the device or object even it was not “designed” for this purpose). Three, the state attorney could move to reduce a sentence for any offense in the weapon of mass destruction statute based on the defendant’s substantial assistance (the Senate CS limits this substantial assistance provision to hoax weapons offenses).