

Department of Finance and Administration

Legislative Impact Statement

Bill: HB1943

Bill Subtitle: TO REDUCE THE SENTENCE CLASSIFICATIONS FOR CERTAIN OFFENSES FROM A FELONY TO A MISDEMEANOR.

Basic Change :

**Sponsors: Reps. M. Hodges, Love, Scott, V. Flowers, and F. Allen
Sen. Elliott**

HB1943 reduces the sentence classifications for certain offenses as follows:

- Reduces the sentence classification for the offense of manufacturing or altering a personal identification document for a person's own use in obtaining alcohol from a Class C felony to a Class A misdemeanor; and
- Reduces the sentence classification for the offense of failing to file a tax return or failing to pay a tax from a Class D felony to a Class A misdemeanor and modifies the culpable mental state required for the offense from "willingly" to "knowingly".

HB1943 also repeals the offense of holding or using a fraudulent title, registration, license plate, or certificate of origin document when the person knows it is altered, forged, or falsified, which is currently classified as a felony.

Revenue Impact :

None.

Taxpayer Impact :

Certain sentence classifications would be reduced from a felony to a misdemeanor.

Resources Required :

None.

Time Required :

Adequate time is provided for implementation.

Procedural Changes :

None.

Other Comments :

None.

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Legal Analysis :

Under current law, it is a Class C felony to manufacture or alter a personal identification document for the purpose of providing false identification to a person under the age of twenty-one (21) so that the underage person can purchase alcohol or other age-restricted substances or materials. HB1943 reduces the sentence classification to a Class A misdemeanor when a person manufactures an identification or alters his or her own identification for personal use in obtaining alcohol.

Under current law, a person required to pay any tax or file any return who willfully fails to pay the tax or file a return is guilty of a Class D felony. HB1943 reduces the sentence classification to a Class A misdemeanor and modifies the culpable mental state from “willfully” to “knowingly”.

Finally, under current law, it is a felony to alter, forge, or counterfeit a title, registration, license plate, or certificate of origin document, alter or falsify the assignment of such documents, or to hold or use any such document or plate knowing it to be altered, forged, or falsified. HB1943 repeals the felony offense of holding or using any such document or plate when the person knows it is altered, forged, or falsified.