

BILL SUMMARY
1st Session of the 60th Legislature

Bill No.:	SB541
Version:	ENGR
Request Number:	
Author:	Rep. Miller
Date:	4/17/2025
Impact:	DOC: Minimal

Research Analysis

SB 541 adds a subsequent offense of domestic assault and battery and domestic abuse against a pregnant woman with knowledge of the pregnancy to the list of 85% crimes.

Prepared By: Brad Wolgamott

Fiscal Analysis

The Engrossed version of SB541 modifies the provisions related to certain domestic violence crimes. Officials with the Department of Corrections (DOC) have provided the following information:

SB541 makes subsequent offenses of assault and battery and domestic abuse against a pregnant woman with knowledge of the pregnancy as provided in 21 OS 644 C, and E respectively, to the list of crimes in 57 OS 571 defined as violent. Based on DOC's interpretation of the measure, this adds these crimes to the violent crime list, but does not make them 85% crimes.

Second and subsequent Domestic Violence crimes per 21 OS 644C bear an average sentence length of 4.5 years. The average time served based on those releases in which this is the controlling crime over the last 5 years is approximately 2 years on the sentence.

Assault & Battery on a pregnant woman with knowledge that she is pregnant per 21 OS 644E is a much smaller data set. The average sentence length 4.6 years. Average time served based on those releases with this controlling crime over the last 5 years was approximately 1.9 years on the sentence.

Therefore, in its current form, this measure may expand the sentencing power of the courts in these cases which could lead to longer sentences for these crimes. However, based on the language of the bill, it is difficult to quantify any potential increase to the average time served for these crimes. Any resulting change in the costs incurred by DOC are expected to be immaterial and/or absorbed by the agency. Therefore, this measure in its current form is anticipated to be budget neutral.

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.

