



## HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 2542 (Formerly HSB 666)	House Committee:	<b>PASSED</b> on February 12 (14-7)
Committee:	Judiciary	House Floor:	
Floor Manager:	Rep. Holt	Senate Floor:	
Date:	March 4, 2026	Governor:	
Staff:	Amanda Wille (1-5230)		

### Three Strikes-Habitual Offender

- Creates a point system for felonies, aggravated misdemeanors and certain serious misdemeanors.
- If an individual accumulates 3 points they are sentenced to a mandatory minimum of 20 years in prison.
- **Fiscal Note** – LSA did not receive a response regarding the correctional impact, or the fiscal impact from the DOC. However, based on the projected number of habitual offenders per year and the marginal cost per day for prisons, a portion of the fiscal impact to the DOC for additional length of stay in prison will be approximately \$164.9 million per fiscal year starting in FY 2031. Fiscal impact to the Public Defender is estimated to be \$1.6 million per year.

### Section by Section Analysis

#### Section 1- Felonies- Habitual Offender (902.8)

Level One Offense- All class A, B, C and D felonies. All Aggravated Misdemeanors that involve sexual abuse under 709m, domestic abuse under 708.2A, assault with intent to inflict serious injury or while using or displaying a dangerous weapon, organized retail theft, theft, possession of a controlled substance.

Each level one offense is worth one point

Level two offenses are all aggravated misdemeanors that are not level one offenses and serious misdemeanors involving any assault causing injury, domestic abuse causing injury, harassment, unlawful possession of a controlled substance, fourth degree theft, criminal mischief third degree.

Each level two offense is worth half a point

A habitual offender is someone convicted in this state or in another state of level one or two offenses that result in three or more points being accumulated.

A person sentenced as a habitual offender shall serve 20 years (no parole or work release) unless they have been convicted of an offense that carries a longer sentence.

#### Section 2- Felonies- Maximum Sentence for Felons (902.9)

Conforming language regarding a 20-year sentence.

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## Amendment Analysis

### **H-8116 by Holt**

Removes aggravated misdemeanor charge for theft and aggravated misdemeanor charge for possession of a controlled substance from the level one offenses. These are now level two offenses and receive a half point. Removes serious misdemeanors including possession and degree harassment, theft in the fourth degree from the list of level two offenses. These are serious misdemeanors and will not receive a point or half point.

Amendment clarifies that the court shall only consider convictions in the past 20 years when determining if a person is a habitual offender.

Prevents stacking of charges

This only applies for crimes that occur on or after July 1, 2026

Prohibits a suspended or deferred sentence for a habitual offender.

### **H-8120- Wilburn**

A person only becomes a habitual offender if their third point is a forcible felony.

### **H-8121- Ramirez**

Amendment clarifies and expands which corrections and public safety employees are eligible for collective bargaining, modifies the process for amending or reconsidering bargaining units, revises election procedures for union representation, and eliminates requirements for retention and recertification elections. It also directs the employment appeal board to cancel in-process elections and provides for special consideration of certification petitions.

### **H-8124 Wichtendahl**

Requires state to pay full health insurance for surviving spouses and children of DOC employes.

Intent of the GA that money appropriated to the DOC be used for salary increases.

Intent that a portion of the appropriations to the DOC be used for increasing safety.