

HB 601 -- ENHANCED SENTENCE FOR WEARING FACE OR BODY COVERINGS  
DURING THE COMMISSION OF AN OFFENSE

SPONSOR: Lucas

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Crime and Public Safety by a vote of 11 to 6.

This bill creates a penalty enhancement for individuals who wear, during the commission of a misdemeanor or felony, a mask, hood, disguise, or other clothing that conceals or attempts to conceal the person's identity at the time of the offense. The penalty enhancement is a misdemeanor or felony one class higher than the underlying misdemeanor or felony for which the person was convicted. If a defendant pleads guilty or no contest to the underlying offense but not guilty to the enhancement offense specified in the bill, a jury will be empaneled to determine the issues.

PROPONENTS: Supporters say that the anti-defamation league asked the sponsor to sponsor a similar bill because it was tired of seeing young people on college campuses protesting things they are not informed about and preventing parents from seeing what their children are doing and law enforcement from identifying them. Oftentimes, individuals participating in these particular protests wearing hoods or masks are planning nefarious behavior. The bill raises the penalty of the underlying offense by one class level.

Testifying in person for the bill were Representative Lucas.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.