



Senate Fiscal Agency
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Senate Bill 55 (Substitute S-1 as reported)
Sponsor: Senator Rick Jones
Committee: Judiciary

CONTENT

The bill would amend the Code of Criminal Procedure to include in the sentencing guidelines violating the requirements for the disposition of fetal remains. The offense would be a Class F felony against a person, with a statutory maximum sentence of three years.

The bill is tie-barred to Senate Bill 54, which pertains to the disposition of fetal remains and originally proposed a felony penalty for a violation. (Under Senate Bill 54 (S-2), however, a violation would be a State civil infraction.)

Senate Bill 55 (S-1) also is tie-barred to Senate Bill 25, which pertains to arrangements for the final disposition of a dead fetus.

MCL 777.13k

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government if the criminal offense were enacted. There are no data to indicate how many individuals would be convicted of the Class F offense. A convicted offender would receive a sentencing guidelines minimum sentence range of 0-3 months to 17-30 months, with a maximum sentence of three years. Local governments would incur the costs of incarceration in local facilities, which vary by county. The State would incur the cost of felony probation at an annual average cost of \$2,500, as well as the cost of incarceration in a State facility at an average annual cost of \$34,000. Additional penal fine revenue would benefit public libraries.

Date Completed: 10-19-11

Fiscal Analyst: Matthew Grabowski