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Senate Bill 602 (Substitute S-2 as passed by the Senate)
Sponsor: Senator Joe Hune
Committee: Families, Seniors and Human Services

Date Completed: 6-9-14

CONTENT

The bill would amend the Sex Offenders Registration Act to include a violation of Section 449a(2) of the Michigan Penal Code as a tier I offense.

The Act prescribes registration and reporting requirements for sex offenders, and penalties for offenders who fail to register. Offenders are categorized into one of three tiers, and the length of time that an offender is required to comply with verification and proof of residency requirements depends on which tier applies to the offender. Unless a petition to discontinue registration is granted, a tier I offender is required to comply for 15 years, a tier II offender must comply for 25 years, and a tier III offender must comply for life.

The tier in which an offender is grouped depends on the crime the offender committed, and whether he or she is a repeat offender. "Tier I offender" means an individual convicted of a tier I offense who is not a tier II or tier III offender. Some examples of tier I offenses include:

- Unlawfully imprisoning a minor.
- Assault with the intent to commit second-degree criminal sexual conduct against an adult.
- Criminal sexual conduct in the fourth degree committed against an adult.

The bill would include as a tier I offense a violation of Section 449a(2) of the Penal Code (proposed by Senate Bill 205).

Section 449a of the Penal Code specifies, "Any male person who engages or offers to engage the services of a female person, not his wife, for the purpose of prostitution, lewdness or assignation, by the payment in money or other forms of consideration, is guilty of a misdemeanor." As proposed by Senate Bill 205 (S-2), subsection 2 would make it a felony for a person to engage or offer to engage another person, who was under the age of 18 and who was not the person's spouse, for the purposes of prostitution by payment in money or other forms of consideration.

The bill is tie-barred to Senate Bill 205 and would take effect 90 days after its enactment.

MCL 28.722

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.