



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bills 200 and 201 (as reported without amendment)
Sponsor: Senator Morris Hood
Committee: Judiciary

CONTENT

Senate Bill 201 would amend the Michigan Penal Code to prohibit and prescribe criminal penalties for assaulting, battering, or assaulting and battering a sports official.

Except as described below, it would be a misdemeanor punishable by up to one year's imprisonment and/or a maximum fine of \$1,000, for a person to assault, batter, or assault and batter an individual performing his or her duties as a sports official immediately before, during, or after a sporting event, or at any other time if the action arose from the sports official's execution of his or her duty as an official.

A violation would be a felony punishable by up to two years' imprisonment and/or a maximum fine of \$2,000, if it caused the sports official bodily injury requiring medical attention or medical care. A violation would be a felony punishable by up to five years' imprisonment and/or a fine of not less than \$1,000 or more than \$5,000, if it caused the sports official serious impairment of a body function.

The bill would define "sports official" as an individual who officially administers or officially assists in administering the rules at any sporting event. "Sporting event" would mean an organized competitive athletic activity between two or more individuals.

Senate Bill 200 would amend the Code of Criminal Procedure to add the felonies proposed by Senate Bill 201 to the sentencing guidelines. Assaulting or battering a sports official causing bodily injury would be a Class G felony against a person, with a statutory maximum sentence of two years' imprisonment. Assaulting or battering a sports official causing serious impairment of a body function would be a Class E felony against a person, with a statutory maximum sentence of five years' imprisonment.

Senate Bill 200 is tie-barred to Senate Bill 201.

MCL 777.16d (S.B. 200)
Proposed MCL 750.81f (S.B. 201)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

Senate Bill 201 could have a negative fiscal impact on State and local government. More misdemeanor and felony arrests and convictions could increase resource demands on law enforcement, court systems, community supervision, jails, and correctional facilities. The average cost to State government for felony probation supervision is approximately \$3,024 per probationer per year. For any increase in prison intakes, in the short term, the marginal cost to State government would be approximately \$3,764 per prisoner per year. Any associated increase in fine revenue would increase funding to public libraries.

Senate Bill 200 would have no fiscal impact on local government and an indeterminate fiscal impact on the State, in light of the Michigan Supreme Court's July 2015 opinion in *People v. Lockridge* (in which the Court struck down portions of the sentencing guidelines law). According to one interpretation of that decision, the sentencing guidelines are advisory for all cases. This means that the addition to the guidelines under the bill would not be compulsory for the sentencing judge. As penalties for felony convictions vary, the fiscal impact of any given felony conviction depends on judicial decisions.

Date Completed: 3-8-17

Fiscal Analyst: Ryan Bergan

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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.