

Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 1121 (as introduced 5-7-98)
Sponsor: Senator Mat J. Dunaskiss
Committee: Judiciary

Date Completed: 5-12-98

CONTENT

The bill would amend the Michigan Penal Code to prohibit a person required to be registered under the Sex Offenders Registration Act from doing either of the following:

- Loitering on school property or in a public park, or within 1,000 feet of school property or a public park.
- Residing within 1,000 feet of school property or a public park.

A violation of the bill would be a felony, punishable by up to four years' imprisonment, a maximum fine of \$2,000, or both. The bill would not preclude a person from being charged with, convicted of, or sentenced for any other violation of law arising out of the same transaction as a violation of the bill.

"School property" would mean a building, playing field, or property used for school purposes to impart instruction to children in grades K-12, when provided by a public, private, denominational, or parochial school, except those buildings used primarily for adult education or college extension courses. "Public park" would mean real property owned or maintained by the State or a political subdivision of the State that was designated as a park by the State or the political subdivision.

Proposed MCL 750.411r

Legislative Analyst: P. Affholter

FISCAL IMPACT

Senate Bill 1121 would have an indeterminate fiscal impact on State and local government.

Given that the bill would create a new felony with a maximum sentence of four years in prison or a fine of \$2,000 or both, costs of incarceration and/or fine revenues for the State could increase. There are no data available to indicate how many people registered under the Sex Offenders Registration Act would be convicted of loitering near school grounds. To the extent that conviction for the proposed crime would not prohibit conviction for another crime resulting from the same transaction, the length of sentence for certain offenders would increase. If one assumed five annual convictions each receiving a two-year prison sentence, the annual costs of incarceration could increase by \$180,000.

Fiscal Analyst: K. Firestone

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