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Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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Senate Bills 1093 and 1094 (as reported without amendment)  
Sponsor: Senator Thaddeus G. McCotter  
Committee: Government Operations

### **CONTENT**

Senate Bill 1093 would repeal four sections of the Michigan Penal Code, as follows:

- Section 171, which provides that anyone who engages in or challenges another to fight in a duel with a deadly weapon is guilty of a felony.
- Section 172, which makes it a misdemeanor for anyone to accept a challenge to duel, or help in arranging or promoting a duel.
- Section 173, which provides that it is a misdemeanor to post or advertise in writing reproachful or contemptuous language to or about any other person for not accepting a challenge to duel.
- Section 173a, which provides that fencing as a sport is not a violation of the above prohibitions when face masks and other protective clothing are worn.

Senate Bill 1094 would amend the Code of Criminal Procedure to remove from sentencing guidelines, violations of Section 171 of the Michigan Penal Code. The bill is tie-barred to Senate Bill 1093.

MCL 750.171 et al. (S.B. 1093)  
777.16i (S.B. 1094)

Legislative Analyst: G. Towne

### **FISCAL IMPACT**

Senate Bills 1093 and 1094 would have an indeterminate fiscal impact on State and local government. According to the 1998 Department of Corrections Statistical Report, no one was convicted of or serving time for a sentence for dueling, a Class E felony crime with a 10-year maximum sentence. The sentencing guideline recommendation range is from 0-3 months to 24-38 months. If an offender scored at the lower end of this minimum sentence range, local units of government would incur the costs of incarceration.

Also, there are no data available to indicate how many offenders may be convicted each year of accepting or abetting a duel or posting a notice of nonacceptance of a duel. Local units of government would receive the fine revenue and/or incur the cost of incarceration for these misdemeanor crimes.

Date Completed: 9-29-00

Fiscal Analyst: K. Firestone