
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bills 1093, 1094, 1144, 1152, and 1153 (as introduced 3-8-00)
Sponsor: Senator Thaddeus G. McCotter
Committee: Government Operations

Date Completed: 9-28-00

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.

Senate Bill 1144 would amend Public Act 12 of 1925, which provides for the alteration of State trunk line highways, to eliminate a provision that allows the State highway commissioner, with the approval of the State Administrative Board, to widen or alter any trunk line highway.

Senate Bills 1152 and 1153 would repeal Public Act 98 of 1927 and Public Act 191 of 1955, respectively, which authorize the construction of a bridge between the cities of Menominee, Michigan, and Marinette, Wisconsin, across the Menominee River.

MCL 750.171 et al. (S.B. 1093)
777.16i (S.B. 1094)
250.112 (S.B. 1144)
254.121-254.123 (S.B. 1152)
254.131 (S.B. 1153)

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 have incurred 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.

Senate Bills 1144, 1152, and 1153 would have no fiscal impact on State or local government.

Fiscal Analyst: K. Firestone
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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.