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Senate Bills 1099 through 1104 (as reported without amendment)
Sponsor: Senator Christopher D. Dingell
Committee: Government Operations

CONTENT

Senate Bill 1099 would repeal Section 366 of the Michigan Penal Code, which makes larceny of railroad passenger tickets a felony.

Senate Bill 1100 would repeal Section 513 of the Penal Code, which makes it a felony, punishable by imprisonment for up to 10 years or a maximum fine of \$5,000, to make or issue any unauthorized or fraudulent certificate of stock, bond, or obligation of a railroad company. Senate Bill 1101 would delete a provision of the Code of Criminal Procedure under which a violation of Section 513 is a Class H property offense subject to a statutory maximum sentence of 10 years.

Senate Bill 1102 would repeal Section 514 of the Penal Code, which makes it a felony, punishable by imprisonment for up to 10 years or a maximum fine of \$5,000, to seize a locomotive that has an attached express or mail car, and run away with it upon a railroad.

Senate Bill 1103 would repeal Section 516 of the Penal Code, which makes it a felony, punishable by imprisonment for life or any term of years, to stop a railroad train, detach one part of a train from another, or compel an engineer or fireman to run a train contrary to his or her general order, for the purpose of wrecking or robbing the train or its passengers or employees, with intimidation or threat of life with firearms, dynamite, or other dangerous devices.

Senate Bill 1104 would repeal Section 517 of the Penal Code, which makes it a felony, punishable by imprisonment for life or any term of years, to enter upon a railroad train, passenger car, mail car, or express car, with intent to rob the train, car, passengers, or employees, by means of intimidation or by threat of life to the passengers or employees.

MCL 750.366 (S.B. 1099)
750.513 (S.B. 1100)
777.16x (S.B. 1101)
750.514 (S.B. 1102)
750.516 (S.B. 1103)
750.517 (S.B. 1104)

Legislative Analyst: G. Towne

FISCAL IMPACT

The bills would have an indeterminate fiscal impact on State and local government.

According to the 1997 Annual Statistical report, there were no convictions for or felons serving time for these crimes. By repealing these sections, the State would neither incur costs of incarceration nor receive fine revenues, to the extent that these are felony offenses that are punishable by terms up to life in prison. However, given that no one was convicted of these crimes or incarcerated for them, the fiscal impact on State government would be neutral.

The sentencing guidelines would be repealed for issuing fraudulent railroad securities, an H grid crime with a minimum sentence ranging from 0-1 month to 5-17 months. If an offender were convicted of this crime and received the highest minimum sentence, by repealing the section, the State would save the cost of incarceration, which averages \$22,000 annually. Local units of government would save the costs of

incarceration or intermediate sanction for any offender whose lower minimum sentence guideline range was less than 13 months.

Date Completed: 3-21-00

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.