
Senate Fiscal Agency
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SFA

BILL ANALYSIS

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Senate Bills 1026, 1027, 1030, 1031, 1032, and 1037 (as introduced 1-30-02)
Sponsor: Senator Thaddeus G. McCotter
Committee: Government Operations

Date Completed: 2-1-02

CONTENT

All of the bills, except Senate Bill 1031, would repeal various sections of the Michigan Penal Code. Senate Bill 1031 would amend the sentencing guidelines in the Code of Criminal Procedure.

Senate Bill 1026 would repeal Section 502 of the Penal Code, which governs the handling of gasoline, benzine, and naphtha by wholesalers and retailers of those products, and makes a violation a misdemeanor.

Senate Bill 1027 would repeal Section 41, which makes it a misdemeanor for a person to sell, lend, give away, show, or possess any publication of criminal news, police reports, accounts of criminal deeds, or stories of bloodshed, lust, or crime.

Senate Bill 1030 would repeal Sections 442 through 447, which make it a felony to be a party to or engage in a prize fight, or aid or abet prize fighting; provide that training a person to prize fight or carrying someone to a prize fight is aiding and abetting; make it a misdemeanor to attend a prize fight, enter into an agreement for a prize fight, or train someone for an out-of-State prize fight; provide that no one may be excused from testifying or producing evidence in an investigation or trial for a prize fighting offense; and specify that these provisions do not apply to any boxing, sparring, or wrestling matches conducted under Public Act 328 of 1919 (which is now Chapter 8 (Boxing) of the Occupational Code).

Senate Bill 1031 would delete provisions in the Code of Criminal Procedure under which a violation of Section 442 or 443 of the Penal Code is a Class G offense against the public order subject to a statutory maximum prison term of four years. The bill is tie-barred to Senate Bill 1030.

Senate Bill 1032 would repeal Section 409 of the Penal Code, which makes it a misdemeanor to taunt or otherwise accuse another of having been a convict or an inmate.

Senate Bill 1037 would repeal Section 494, which makes it a misdemeanor for a person to operate a sleigh or cutter in the Upper Peninsula unless the vehicle and at least one of the animals drawing it have bells attached.

MCL 750.502 (S.B. 1026)
750.41 (S.B. 1027)
750.442-750.447 (S.B. 1030)
777.16v (S.B. 1031)
750.409 (S.B. 1032)
750.494 (S.B. 1037)

Legislative Analyst: S. Lowe

FISCAL IMPACT

Senate Bills 1026,1027,1032, & 1037

The bills would have an indeterminate fiscal impact on local government. There are no statewide data currently available to indicate how many offenders a year (if any) are convicted of a misdemeanor for the applicable offenses. Local units of government would incur the cost of incarceration for these offenses, and libraries would receive the fine revenue.

Senate Bills 1030 & 1031

According to the Department of Corrections Statistical Report, in 1999, there were no offenders convicted of or serving sentences for participating in or training for a prizefight. Assuming past years are representative of the future, the bills would have no fiscal impact on State or local government.

Fiscal Analyst: B. Wicksall