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SFA



BILL ANALYSIS

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Senate Bills 1044-1046 (as enrolled)
Senate Bills 1047-1049 (as enrolled)
Sponsor: Senator Christopher S. Dingell
Senate Committee: Government Operations
House Committee: Criminal Justice

PUBLIC ACTS 294, 278 & 295 of 2002
PUBLIC ACTS 279, 296 & 321 of 2002

Date Completed: 3-4-03

CONTENT

Senate Bills 1044, 1046, and 1048 repealed sections of the Michigan Penal Code that pertained to offenses involving railroad tickets. Senate Bills 1045, 1047, and 1049 amended the Code of Criminal Procedure to delete sentencing guidelines corresponding to the offenses that were repealed by the other bills.

Senate Bill 1044 repealed Section 179 of the Penal Code, which made it a felony for an officer, agent, or employee of a railroad company to embezzle, dispose of, or convert to his or her own use any railroad passenger ticket, or to use tickets that previously had been used. Senate Bill 1045 deleted a provision of the Code of Criminal Procedure under which a violation of Section 179 was a Class G property offense subject to a statutory maximum of four years' imprisonment. The bill was tie-barred to Senate Bill 1044.

Senate Bill 1046 repealed Section 366 of the Penal Code, which made larceny of railroad passenger tickets a felony. Senate Bill 1047 deleted a provision of the Code of Criminal Procedure under which a violation of Section 366 was a Class G property offense subject to a four-year maximum sentence. The bill was tie-barred to Senate Bill 1046.

Senate Bill 1048 repealed Section 266 of the Penal Code, which made it a felony to forge, counterfeit, or alter a railroad passenger ticket, with the intent to injure or defraud, or to sell a forged, altered, or counterfeit railroad passenger ticket. Senate Bill 1049 repealed a provision of the Code of Criminal Procedure under which a violation of Section 266 was a

Class G property offense subject to a statutory maximum sentence of four years. Additionally, the bill repealed a provision that made obstructing a fire-fighter a Class F public safety offense subject to a statutory maximum sentence of four years. The bill was tie-barred to Senate Bill 1048.

MCL 750.179 (S.B. 1044)
777.16i (S.B. 1045)
750.366 (S.B. 1046)
777.16r (S.B. 1047)
750.266 (S.B. 1048)
777.16n (S.B. 1049)

Legislative Analyst: Claire Layman

FISCAL IMPACT

According to the Department of Corrections Statistical Report, in 1999, there were no convictions for or felons serving for these crimes dealing with railroad passenger ticket embezzlement, forgery, or larceny. Assuming that past years are representative of the future, the bills will have no fiscal impact on State or local government.

Fiscal Analyst: Bethany Wicksall

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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.