



**Senate Fiscal Agency**  
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## BILL ANALYSIS



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Senate Bill 1357 (Substitute S-1 as reported)  
Sponsor: Senator Rick Jones  
Committee: Judiciary

**CONTENT**

The bill would amend the Code of Criminal Procedure to include in the sentencing guidelines tampering with or removing an electronic monitoring device. A violation would be a Class G felony against the public order with a statutory maximum sentence of two years' imprisonment.

The bill is tie-barred to Senate Bill 1127. As passed by the Senate, Senate Bill 1127 (S-2) would prohibit a person from knowingly and without authority removing, destroying, or circumventing the operation of an electronic monitoring device or knowingly interfering with a signal, impulse, or data being transmitted by or stored within such a device worn or otherwise used by an individual as a condition of work release or house arrest, bond or other pretrial release, probation, parole, postrelease supervision or postconviction bond, or work or school release. A person also could not request or solicit another to take any of those actions.

MCL 777.17f

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The bill would add the crime of tampering with or removing an electronic monitoring device to the sentencing guidelines as a Class G felony with a maximum sentence of two years. This means that a variety of sanctions ranging from probation to incarceration would be possible, depending on the details of the offense and the prior criminal record of the offender, but because Class G felonies are the second-lowest classification, the guidelines most often recommend intermediate sanctions such as probation. This bill, along with the bill it is tie-barred to, Senate Bill 1127, would create this new felony, for which the State could incur the cost of incarceration and/or felony probation, and local units could incur additional incarceration costs in county jails. Any additional fine revenue would benefit public libraries.

Date Completed: 12-6-12

Fiscal Analyst: Dan O'Connor