



Senate Fiscal Agency
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BILL  ANALYSIS

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Senate Bill 1357 (as introduced 11-8-12)
Sponsor: Senator Rick Jones
Committee: Judiciary

Date Completed: 12-3-12

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 E felony against the public order with a statutory maximum sentence of five 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. A violation would be a felony punishable by up to five years' imprisonment and/or a maximum fine of \$10,000.

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 E felony with a maximum sentence of five 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. 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 resulting from the fine of up to \$10,000 would benefit public libraries.

Fiscal Analyst: Dan O'Connor

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