



Senate Fiscal Agency
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Senate Bills 205 and 206 (as introduced 2-19-13)
Sponsor: Senator Judy K. Emmons (S.B. 205)
Senator Tonya Schuitmaker (S.B. 206)
Committee: Families, Seniors and Human Services

Date Completed: 3-5-14

CONTENT

Senate Bill 205 would amend the Michigan Penal Code to provide that a person 16 years old or older who solicited another person who was between 16 years old and 17 years old to commit prostitution or other immoral act would be guilty of a felony.

Senate Bill 206 would amend the Code of Criminal Procedure to include in the sentencing guidelines the offense proposed by Senate Bill 205.

Senate Bill 206 is tie-barred to Senate Bill 205.

Senate Bill 205

The Penal Code provides that a person 16 years old or older who accosts, solicits, or invites another person in a public place or in or from a building or vehicle, by word, gesture, or any other means, to commit prostitution or to do any other lewd or immoral act is guilty of a misdemeanor punishable by up to 93 days in prison or a fine of up to \$500, or both. Enhanced sentences apply if the offender has one or more prior convictions of prostitution-related offenses.

The bill would create a separate offense for a person 16 or older who accosted, solicited, or invited another person who was not less than 16 years of age and not more than 17 years of age in a public place or in or from a building or vehicle, by word, gesture, or any other means, to commit prostitution or to do any other lewd or immoral act. A person who committed this offense would be guilty of a felony punishable by up to five years in prison or a fine of up to \$10,000, or both.

Senate Bill 206

The bill would include the offense proposed by Senate Bill 205 in the sentencing guidelines as a Class E crime against a person with a statutory maximum of five years.

MCL 750.448 & 750.451 (S.B. 205)
777.16w (S.B. 206)

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bills would have an indeterminate, but likely slight, fiscal impact on State and local government. The bills would expand felony prosecution to people who accosted, solicited, or

invited a person at least 16 years of age but not older than 17 to commit prostitution. This could result in an increase in the number of individuals found in violation of the Penal Code sections concerning prostitution. Since prostitution data are not broken out by the age of the person accosted, solicited, or invited for prostitution, there is no information about how many offenders this extension would affect. Those committing the proposed felony could lead to an increase in incarceration costs for the State at an average of \$35,000 per prisoner per year.

Fiscal Analyst: John Maxwell

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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.