



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 679 (as reported without amendment)
Sponsor: Senator Virgil Smith
Committee: Economic Development

CONTENT

The bill would amend the Michigan Penal Code to do make it a crime to steal any metal, rather than nonferrous metal. The bill also would create a rebuttable presumption that a person who removed or attempted to remove metal from a building or structure without the owner's written permission would not have the owner's permission if any of the following applied:

- The metal had a scrap value of \$100 or more at the time of the alleged violation.
- The metal had a total combined weight of 100 pounds or more.
- The metal was or had been secured to that building or structure by a nail, screw, bolt, or other means of fastening.
- The metal was or had been enclosed within a wall, ceiling, or floor of the building or structure.

Currently, a person who commits larceny by stealing certain property, including nonferrous metal, is guilty of a crime punishable by a range of penalties depending on the value of the property stolen and the violator's prior convictions. The bill would extend these penalties to a person who committed larceny by stealing any metal, rather than nonferrous metal.

MCL 750.356

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate negative fiscal impact on State and local government. By including any metal in the laws prohibiting larceny, the bill likely would increase the number of felony dispositions for larceny, although there are no data to indicate the magnitude of the increase. In 2012, there were 24 felony dispositions for larceny of items valued at \$20,000 or more, and 379 felony dispositions for larceny of items valued between \$1,000 and \$20,000. Approximately 20% of these felony dispositions resulted in prison sentences, while the remaining 80% of the offenders served time in jail and/or on probation. Increasing the number of convictions would increase the costs of incarceration and community supervision for State and local government. Any increase in penal fine revenue would benefit public libraries.

Date Completed: 12-4-13

Fiscal Analyst: Dan O'Connor