



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bills 413 and 414 (as reported without amendment)  
Sponsor: Senator Margaret E. O'Brien  
Committee: Judiciary

**CONTENT**

Senate Bill 413 would amend the Michigan Penal Code to do the following:

- Mandate a term of imprisonment for a person who committed a felony related to fighting, baiting, or shooting an animal and had one or more prior convictions for such an offense.
- Specify that a person who failed to comply with an order prohibiting the ownership or possession of an animal would be guilty of a misdemeanor.
- Allow, instead of require, a humane society or other animal welfare agency to apply to a court for a hearing to euthanize a seized animal that been used or trained to fight.

The mandatory minimum term of imprisonment would be either nine months or 18 months, depending on the offense.

Senate Bill 414 would amend the sentencing guidelines in the Code of Criminal Procedure to include the phrase "first or subsequent offense" in the descriptions of felonies that Senate Bill 413 would modify.

MCL 750.49 (S.B. 413)  
777.16b (S.B. 414)

Legislative Analyst: Jeff Mann

**FISCAL IMPACT**

Senate Bill 413 could have a negative fiscal impact on the State and local government. Increased penalties for misdemeanor and felony convictions could increase resource demands on community supervision, jails, and correctional facilities. The average cost to State government for felony probation supervision is approximately \$3,024 per probationer per year. For any increase in prison intakes, in the short term, the marginal cost to State government would be approximately \$3,764 per prisoner per year. Any associated increase in fine revenue would increase funding to public libraries.

Senate Bill 414 would have no fiscal impact on local government and an indeterminate fiscal impact on the State, in light of the Michigan Supreme Court's July 2015 opinion in *People v. Lockridge* (in which the Court struck down portions of the sentencing guidelines law). According to one interpretation of that decision, the sentencing guidelines are advisory for all cases. This means that the addition to the guidelines under the bill would not be compulsory for the sentencing judge. As penalties for felony convictions vary, the fiscal impact of any given felony conviction depends on judicial decisions.

Date Completed: 6-8-17

Fiscal Analyst: Ryan Bergan