



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4585 (Substitute H-1 as reported without amendment)
House Bill 4590 (Substitute H-1 as reported without amendment)
House Bill 4591 (Substitute H-2 as reported without amendment)
Sponsor: Representative Jeff Yaroch (H.B. 4585)
Representative Klint Kesto (H.B. 4590)
Representative Brandt Iden (H.B. 4591)

House Committee: Law and Justice
Senate Committee: Judiciary

CONTENT

House Bills 4585 (H-1) and 4590 (H-1) would amend the Michigan Penal Code to prescribe a felony penalty of up to two years' imprisonment for a person who committed a violent felony in which the victim was targeted because he or she was, or was perceived to be, a firefighter or emergency medical service (EMS) personnel, or a law enforcement or corrections officer, respectively. The proposed penalty would have to be served consecutively to any term of imprisonment imposed for the underlying felony.

House Bill 4591 (H-2) would amend the sentencing guidelines in the Code of Criminal Procedure to include the felonies proposed by House Bills 4585 (H-1) and 4590 (H-1) as Class G offenses against a person, with statutory maximums of two years.

Proposed MCL 750.479e (H.B. 4585)
Proposed MCL 750.479d (H.B. 4590)
MCL 777.16x (H.B. 4591)

Legislative Analyst: Jeff Mann

FISCAL IMPACT

House Bills 4585 (H-1) and 4590 (H-1) could have a negative fiscal impact on the State and local government. More felony arrests and convictions could increase demands on court systems, 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 is approximately \$3,764 per prisoner per year. Any associated increase in fine revenue increases funding to public libraries.

House Bill 4591 (H-2) 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 ruled that 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: 3-8-18

Fiscal Analyst: John Maxwell