



Senate Fiscal Agency
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Senate Bills 977 and 978 (as reported without amendment)
Sponsor: Senator Kevin Daley
Committee: Elections

CONTENT

Senate Bill 977 would amend Part 759 (Absent Voters) of the Michigan Election Law to do the following:

- Specify that knowingly making a false statement on an absent voter ballot application would be a misdemeanor.
- Specify that a person who knowingly submitted an absent voter ballot application containing or using another person's name and personal identification information would be guilty of a felony.
- Specify that a person who knowingly submitted an application with the intent to obtain multiple ballots for a person would be guilty of a felony.

Senate Bill 978 would amend the sentencing guidelines in the Code of Criminal Procedure to include the felonies proposed under Senate Bill 977.

Senate Bill 978 is tie-barred to Senate Bill 977.

MCL 168.759 (S.B. 977)
777.11d (S.B. 978)

Legislative Analyst: Dana Adams

FISCAL IMPACT

Senate Bill 977 would have a negative fiscal impact on the State and local government. New felony arrests and convictions under the bill could increase resource demands on law enforcement, court systems, community supervision, jails, and correctional facilities. However, it is unknown how many people would be prosecuted under the bill's provisions. 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 \$5,315 per prisoner per year. Any additional revenue from imposed fines would go to local libraries.

Senate Bill 978 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: 6-25-20

Fiscal Analyst: Joe Carrasco