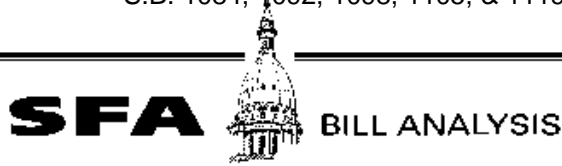

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Senate Bills 1084, 1092, 1098, 1105, and 1119 (as introduced 3-8-00)

Sponsor: Senator Dale L. Shugars (S.B. 1084)
Senator Burton Leland (S.B. 1092)
Senator Ken Sikkema (S.B. 1098)
Senator Don Koivisto (S.B. 1105)
Senator Virgil C. Smith, Jr. (S.B. 1119)

Committee: Government Operations

Date Completed: 3-16-00

CONTENT

The bills would repeal various sections of the Michigan Penal Code.

Senate Bill 1084 would repeal Section 502, which requires a retailer or wholesaler dealing in gasoline, benzine, and naphtha to label all receptacles containing those substances with the proper name; and requires a person purchasing these substances to keep them in properly labeled containers. A person who violates these provisions is guilty of a misdemeanor.

Senate Bill 1092 would repeal Section 41, which makes it a misdemeanor for a person to sell, lend, give away, show, or possess any publication of criminal news, police reports, accounts of criminal deeds, or stories of bloodshed, lust, or crime.

Senate Bill 1098 would repeal Sections 319 and 320. Section 319 provides for a first-degree murder charge for an inhabitant or resident of the State who inflicts a mortal wound on another person while fighting a duel within or outside of the State. Section 320 provides that any person who is a "second" of either party in such a duel, and present when the mortal wound was inflicted, is an accessory to murder.

Senate Bill 1105 would repeal Section 494, which makes it a misdemeanor for a person to operate a sleigh or cutter in the Upper Peninsula unless at least one of the animals drawing the vehicle, and the vehicle, has bells attached.

Senate Bill 1119 would repeal Section 97, which provides that a person who, by statement, rumor, or print alleges that a bank or other financial institution is in financial difficulty is guilty of a felony.

MCL 750.502 (S.B. 1084)
750.41 (S.B. 1092)
750.319 & 750.320 (S.B. 1098)
750.494 (S.B. 1105)
750.97 (S.B. 1119)

Legislative Analyst: G. Towne

FISCAL IMPACT

Senate Bills 1084, 1092, and 1105 would have an indeterminate fiscal impact on local government. There are no statewide data currently available to indicate how many offenders a year (if any) are convicted of a misdemeanor for carrying benzine or gasoline without proper identification, publishing criminal news, or operating a sleigh without sleigh bells in the Upper Peninsula. Local units of government would receive the fine revenue or incur the cost of incarceration for these offenses.

Senate Bills 1098 and 1119 would have a neutral fiscal impact on State government. The 1997 Statistical Report published by the Department of Corrections indicates that there were no offenders convicted of or serving time for inflicting a mortal wound when dueling or making a statement that would cause financial

difficulty for a financial institution. To the extent that no offenders are convicted of these crimes, costs and revenues for the State would remain unchanged.

Fiscal Analyst: K. Firestone

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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.