



Senate Fiscal Agency
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Senate Bill 1212 (Substitute S-1 as reported by the Committee of the Whole)
Senate Bill 1213 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator Bruce Patterson
Committee: Judiciary

CONTENT

Senate Bill 1212 (S-1) would amend the Michigan Penal Code to prohibit an employee of a health professional or facility licensed the Public Health Code from stealing a prescription drug from the health professional or facility.

A violation would be a felony punishable by up to two years' imprisonment, a maximum fine of \$5,000, or both.

The bill specifies that it would not prohibit a person from being charged with, convicted of, or punished for any other violation of law that was committed by that person while violating the bill.

Senate Bill 1213 (S-1) would amend the Code of Criminal Procedure to include a violation of Senate Bill 1212 (S-1) in the sentencing guidelines. Theft of prescription drugs would be a Class G property felony with a statutory maximum sentence of two years' imprisonment.

Both bills would take effect on October 1, 2006. Senate Bill 1213 (S-1) is tie-barred to Senate Bill 1212.

Proposed MCL 750.357c (S.B. 1212)
MCL 777.16r (S.B. 1213)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of the proposed offense. An offender convicted of the Class G offense under the bills would receive a sentencing guidelines minimum sentence range of 0-3 months to 7-23 months. Local governments would incur the costs of incarceration in local facilities, which vary by county. The State would incur the cost of felony probation at an annual average cost of \$2,000, as well as the cost of incarceration in a State facility at an average annual cost of \$30,000. Additional penal fine revenue would benefit public libraries.

Date Completed: 5-4-06

Fiscal Analyst: Lindsay Hollander