



Senate Fiscal Agency
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**BILL ANALYSIS**

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House Bill 4931 (Substitute H-1 as discharged)
Sponsor: Representative Tonya Shuitmaker
House Committee: Education
Senate Committee: Education

CONTENT

The bill would amend the Code of Criminal Procedure to include within the sentencing guidelines failure by a school employee to report that he or she has been charged with or convicted of a misdemeanor that is a listed offense under the Sex Offenders Registration Act or a felony. The failure-to-report offense would be a Class G felony against public safety with a statutory maximum sentence of two years' imprisonment.

The bill is tie-barred to House Bill 4930 (Public Act 131 of 2005), which requires a school employee or a contract worker working regularly and continuously at a public or nonpublic school who has been charged with or convicted of certain crimes to report those charges or convictions to the Michigan Department of Education and to the school or school district where he or she works. Failure to report is a felony punishable by imprisonment for up to two years and/or a maximum fine of \$2,000, if the crime involved is a misdemeanor that is a listed offense under the Sex Offenders Registration Act or a felony.

MCL 777.13p

Legislative Analyst: Curtis Walker

FISCAL IMPACT

The bill 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 offense. An offender convicted of the Class G offense 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 \$31,000. Additional penal fine revenue would benefit public libraries.

Date Completed: 12-13-06

Fiscal Analyst: Lindsay Hollander