

Legislative Analysis



REPORT DISCOVERY OF DEAD BODY

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House Bills 5277 and 5278

Sponsor: Rep. Richard LeBlanc

Committee: Judiciary

Complete to 4-8-08

A SUMMARY OF HOUSE BILLS 5277 AND 5278 AS INTRODUCED 10-9-07

House Bill 5277 would amend the Public Health Code by adding Section 2841 (MCL 333.2841) to require an individual who discovers a dead body or evidence of the death of another person, without reason to believe the death has been reported to a law enforcement agency, to immediately inform a law enforcement agency of the discovery. A person in violation of this subsection would be guilty of a felony punishable by imprisonment for up to three years and/or a fine of not more than \$3,000.

House Bill 5278 would make a complementary amendment to the Code of Criminal Procedure (MCL 777.13k) to define a violation described above as a Class F felony against a person with a three-year maximum term of imprisonment.

FISCAL IMPACT:

The bills' fiscal impact on state and local correctional systems would depend on how they affected numbers of criminal convictions and severity of sentences. There are no data to indicate how many people might be convicted under the bills. Exclusive of sentences for habitual offenders, sentencing guidelines ranges for the minimum sentence for a Class F felony vary from 0 - 3 months (for which a nonprison sanction is required) to 17 - 30 months (for which a prison sentence is mandated).

To the extent that more offenders were sentenced to prison or to felony probation supervision, the state could incur increased costs. The average appropriated cost of incarceration in a state prison is about \$32,000 per prisoner annually, a figure that includes allocated portions of various fixed administrative and operational costs. Costs of parole and probation supervision average about \$2,000 per supervised offender per year. To the extent that more offenders were sentenced to jail, affected counties could experience increased costs; jail costs vary by county. Any increases in collections of penal fine revenues could benefit local libraries, which are the constitutionally-designated recipients of such revenues.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.