

Legislative Analysis



PERJURY: PROVIDING FALSE OR MISLEADING INFORMATION TO LEGISLATIVE COMMITTEE

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House Bill 5501

Sponsor: Rep. Dudley Spade

House Bill 5502

Sponsor: Rep. Lee Gonzales

Committee: Appropriations

Complete to 2-22-08

A SUMMARY OF HOUSE BILLS 5501 & 5502 AS INTRODUCED 12-1-07

House Bill 5501 would amend the Michigan Penal Code (MCL 750.423a) to specify that an officer or employee of "the executive department of this state" who intentionally provides information that he or she knows to be false or misleading to any committee or subcommittee of the Legislature is guilty of perjury punishable by imprisonment for up to 15 years.

This would apply whether or not the information was provided under oath.

House Bill 5502 would make a complementary amendment to the sentencing guidelines provisions in the Code of Criminal Procedure (MCL 777.16v). The crime of perjury committed in committee or subcommittee of the State Legislature would be a Class C felony against the public trust with a maximum of 15 years.

FISCAL IMPACT:

The bills' fiscal impact would depend on how they affected the numbers of felony convictions and severity of sentences. The felony to be created would be a Class C offense against the public trust. Exclusive of sentences for habitual offenders, sentencing guidelines ranges for the minimum sentence for a Class C offense vary from 0-11 months (for which a nonprison sanction is required) to 62-114 months (for which a prison term is mandated).

To the extent that the bills increased the number of offenders sentenced to prison or to felony probation supervision, the state could experience increased costs. Average appropriated costs of prison incarceration are roughly \$32,000 per prisoner per year, a figure that includes 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.

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