



Senate Fiscal Agency
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Senate Bill 1141 (Substitute S-3 as reported)
Sponsor: Senator Rick Jones
Committee: Judiciary

CONTENT

The bill would amend Chapter IX (Judgment and Sentence) of the Code of Criminal Procedure to do the following:

- Create a 17-member Criminal Justice Policy Commission within the Legislative Council.
- Include on the Commission two members of the Senate, two members of the House of Representatives, the Attorney General or his or her designee, and 12 members appointed by the Governor before March 1, 2015.
- Specify the Commission's duties, including conducting ongoing research regarding the effectiveness of sentencing guidelines and developing modifications to sentencing guidelines.
- Allow the Commission to recommend modifications for submission to the Legislature to any law, administrative rule, or policy that affects sentencing or the use and length of incarceration.
- Require the Commission to submit to the Legislature a prison and jail impact report relating to any proposed modifications to sentencing guidelines.
- Require certain policies to be reflected in proposed modifications to sentencing guidelines.
- Require the Commission to submit any recommended modifications to the sentencing guidelines or other laws, administrative rules, or policies to the Senate Majority Leader, the Speaker of the House of Representatives, and the Governor.
- Require the Commission, by December 1, 2015, to submit to the Legislature, the Governor, and the Supreme Court a report on the implementation of legislative policies adopted in 2014 affecting the criminal justice system.

MCL 769.32a & 769.33a

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on the State's Legislative Council. Members of the proposed Criminal Justice Policy Commission would not receive a salary but would be eligible for reimbursement for necessary expenses. Also, the bill would require the Legislative Council to provide the Commission with office space, staff, and equipment. The bill does not specify the number of staff who would be needed; however, a similar commission that existed from fiscal year (FY) 1994-95 through FY 2001-02 (the former Michigan Sentencing Commission) was staffed with 2.0 FTE positions: an administrator and an administrative assistant.

The annual appropriations for the former commission ranged from a low of \$130,000 in FY 1998-99 to a peak of \$259,000 in FY 2000-01. The annual appropriation averaged an estimated \$250,000 for most fiscal years that the commission existed. The appropriation covered the costs of the 2.0 FTE positions, office space and equipment, and reimbursement

to commission members for necessary costs. The estimated annual cost for the proposed Commission is indeterminate, but based on prior estimates could range between \$300,000 and \$400,000 annually. The current estimated average annual cost of one classified State employee is \$85,000 gross, \$45,000 GF/GP for salary and benefits. These estimates could be higher or lower based on the classification level of the staff hired.

Date Completed: 12-11-14

Fiscal Analyst: Joe Carrasco

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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.