



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 5020 (Substitute S-1 as reported by the Committee of the Whole)
House Bill 5021 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Representative Nancy E. Jenkins (H.B. 5020)
Representative Dan Lauwers (H.B. 5021)

House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

House Bills 5020 (S-1) and 5021 (S-1) would amend the Michigan Vehicle Code and the Revised Judicature Act, respectively, to extend the DWI/sobriety court interlock pilot project (created by Public Acts 154 and 155 of 2010) for an additional year and, beginning on January 1, 2015, create the DWI/sobriety court interlock program as a continuation of the pilot project. The bills are tie-barred.

House Bill 5020 (S-1) would refer to the DWI/sobriety program court in provisions that require driver responsibility fees to be held in abeyance while a person with a restricted license is participating in the project and exempt a project participant from vehicle immobilization or forfeiture.

House Bill 5021 (S-1) would amend a provision that requires the DWI/sobriety court interlock pilot project to begin on January 1, 2011, and to continue for a period of three years after that date. The bill instead would require the project to continue for four years. It also specifies that, beginning January 1, 2015, the DWI/sobriety court interlock program would be created and continue with the same requirements, eligibility, criteria, authority, and limitations as the pilot project. A participant in a pilot project on December 31, 2014, automatically would become a participant in a DWI/sobriety court interlock program on January 1, 2015, unless his or her participation in the pilot project ceased by its own terms before January 1, 2015.

MCL 257.304 (H.B. 5020)
600.1084 (H.B. 5021)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The Department of State has indicated that changing the pilot project to an ongoing program would likely increase costs to the Department associated with operating the program. The Department anticipates that cost increases could exceed current appropriations due to the extension of cases into years beyond the current sunset. Also, if there were more cases in the future than there are currently with the sunset date in place, the Department could incur additional costs to conduct more hearings and inspections of facilities and mechanics.

The bills also would have a limited impact on local court systems. In 2012, there were 28 DWI/sobriety courts in operation in Michigan, with 13 of those courts receiving State grant

support. Many of these programs preceded the interlock pilot project and the operations of these 28 DWI/sobriety courts will likely continue with or without the removal of the sunset for the interlock pilot program.

Date Completed: 12-12-13

Fiscal Analyst: Joe Carrasco
Dan O'Connor

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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.