



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

BILL



ANALYSIS

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

Senate Bill 33 (Substitute S-1 as reported)
Sponsor: Senator Ken Horn
Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to extend to emergency room personnel a prohibition against assaulting, battering, wounding, resisting, or endangering law enforcement or other emergency personnel. The bill also would require an employer of any of the people included in that provision to post a sign at any property used by the employer stating that it is a felony to assault such a person knowing that the person is performing his or her duties.

The Code prescribes felony penalties for an individual who assaults, batters, wounds, resists, obstructs, opposes, or endangers a person whom the individual knows or has reason to know is performing his or her duties. "Person" includes certain law enforcement personnel, a firefighter, emergency medical service personnel, and an individual engaged in a search and rescue operation. The bill would include in the definition emergency room personnel, including physicians, nurses, intake clerks, and any other individual employed in the emergency department, emergency room, operating room, or trauma center of a licensed hospital.

(The offense is punishable by imprisonment for up to two years or a maximum fine of \$2,000, or both. If the violation causes bodily injury requiring medical attention or medical care to the victim, the penalty is up to four years' imprisonment or a \$5,000 maximum fine, or both. If the violation causes a serious impairment of a body function of the victim, the maximum penalty is 15 years and/or \$10,000. If the violation causes the death of the victim, the maximum penalty is 20 years and/or \$20,000.)

MCL 750.81d

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill could have a negative fiscal impact on the State and local government. More felony arrests and convictions could increase resource demands on law enforcement, court systems, community supervision, jails, and correctional facilities. The average cost to State government for felony probation supervision is approximately \$3,024 per probationer per year. For any increase in prison intakes, in the short term, the marginal cost to State government would be approximately \$3,764 per prisoner per year. Any associated increase in fine revenue would increase funding to public libraries.

Date Completed: 2-1-17

Fiscal Analyst: Ryan Bergan