



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 330 (Substitute S-1 as reported)
Sponsor: Senator Margaret E. O'Brien
Committee: Judiciary

CONTENT

The bill would amend the Michigan Vehicle Code to extend the penalties for operating a vehicle with a suspended or revoked driver license causing death or serious impairment of a body function, to an individual whose license was suspended or revoked by another state.

The Code prohibits an individual whose operator's or chauffeur's license or registration certificate has been suspended or revoked, whose application for license has been denied, or who has never applied for a license, from operating a motor vehicle upon a State highway or other place open to the general public or generally accessible to motor vehicles. An individual who violates this prohibition and who, by operation of a motor vehicle, causes the death of another person is guilty of a felony punishable by up to 15 years' imprisonment or a fine of at least \$2,500 but not more than \$10,000, or both. If the individual's operation of a motor vehicle causes serious impairment of a body function, he or she is guilty of a felony punishable by up to five years' imprisonment or a fine of at least \$1,000 but not more than \$5,000, or both.

Under the bill, these penalties also would apply to an individual whose operator's or chauffeur's license or registration certificate had been suspended or revoked by another state who operated a motor vehicle during the period of suspension or revocation, and who by the operation of the vehicle caused the death or serious impairment of a body function of another individual.

MCL 257.904

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill could have a negative fiscal impact on State and local government. More felony convictions could increase resource demands on 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 the State is approximately \$3,764 per prisoner per year. Any associated increase in fine revenue increases funding to public libraries.

In addition, if an individual is convicted of either offense described above, the vehicle used in the commission of the crime may be seized and sold. After the proceeds of the sale are used to make certain payments, the balance must be distributed to the governmental units substantially involved in effecting the forfeiture, with 75% of the money used to enhance enforcement of the criminal laws and 25% used to implement the William Van Regenmorter Crime Victim's Rights Act.

Date Completed: 9-29-17

Fiscal Analyst: Ryan Bergan