



Senate Fiscal Agency
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Senate Bill 471 (Substitute S-2 as reported)
Senate Bills 472 and 528 (as reported without amendment)
Sponsor: Senator Stephanie Chang (S.B. 471 & 472)
Senator Sue Shink (S.B. 528)
Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

Senate Bill 471 (S-2) would amend the Michigan Penal Code to prohibit a person convicted of a misdemeanor that involved domestic violence from generally possessing or using a firearm or ammunition in the State until the person completed the terms of imprisonment and parole or probation, paid all fines, and eight years had passed.

Senate Bill 472 would amend the Code of Criminal Procedure to prescribe sentencing guidelines for the possession or sale of a firearm or ammunition by a prohibited person.

Senate Bill 528 would amend the Michigan Penal Code to prescribe separate misdemeanor penalties and fines for specified violations of the Code, such as breaking and entering and vulnerable adult abuse, if the violator were the victim's spouse or former spouse, had a dating relationship with the victim, had a child in common with the victim, or was a resident or former resident of the victim's household.

Senate Bills 472 and 528 are tie-barred to Senate Bill 471, which is tie-barred to Senate Bill 528.

MCL 750.224f (S.B. 471)
777.16m (S.B. 472)
750.115 et al. (S.B. 528)

BRIEF RATIONALE

According to testimony, victims of domestic violence are five times more likely to be murdered if their abusers have access to a firearm. Some people have concern that minor incidents of domestic violence may escalate into major incidents that result in a victim's murder. Accordingly, it has been suggested that a person who committed a specified misdemeanor involving domestic violence be prohibited from possessing or using a firearm for some time.

PREVIOUS LEGISLATION

(Please note: This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)

Senate Bill 471 is similar to Senate Bill 678 and House Bill 5372 of the 2021-2022 Legislative Session. Senate Bill 472 is a reintroduction of Senate Bill 679 and House Bill 5371 of the 2021-2022 Legislative Session.

Legislative Analyst: Tyler P. VanHuyse

FISCAL IMPACT

Senate Bill 471

The bill could have a negative fiscal impact on the State and local government. The bill would add a person convicted of a misdemeanor involving domestic violence to the list of persons who are not allowed to possess, use, transport, sell, purchase, carry, ship, receive, or distribute a firearm or ammunition until certain conditions outlined in the bill have been met. Violations of the proposed provisions would add new felony arrests and convictions and could increase resource demands on law enforcement, court systems, community supervision, jails, and correctional facilities; however, it is unknown how many people would be prosecuted under provisions of the bill. The average cost to State government for felony probation supervision is approximately \$4,200 per probationer per year. For any increase in prison intakes the average annual cost of housing a prisoner in a State correctional facility is an estimated \$45,700. Per diem rates range from \$98 to \$192 per day, depending on the security level of the facility. Any associated increase in fine revenue would increase funding to public libraries.

Senate Bill 528

The bill could have a negative fiscal impact on district courts to an indeterminate degree. The fiscal impact would be associated with costs for additional charges, hearings, and/or trials for the additional crimes created in the bill.

Additionally, the bill would have a negative fiscal impact on the State and local government. New misdemeanor arrests and convictions under the proposed bill could increase resource demands on law enforcement, community supervision, and jails; however, it is unknown how many people would be prosecuted under the provisions of the bill. Any additional revenue from imposed fines would go to local libraries and county law libraries.

Date Completed: 10-2-23

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