



Senate Fiscal Agency
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Senate Bill 841 (Substitute S-1 as reported)
Senate Bills 842 and 843 (as reported without amendment)
Sponsor: Senator Veronica Klinefelt
Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

Senate Bill 841 (S-1) would amend the Michigan Penal Code to do the following:

- Prescribe a misdemeanor punishable by a maximum of two years' imprisonment or a maximum fine of \$500, or both, for engaging in sexual contact with a dead human body.
- Prescribe a felony punishable by a maximum of 15 years' imprisonment for engaging in sexual penetration with a dead human body.

Senate Bill 842 would amend the sentencing guidelines in the Code of Criminal Procedure to include the felonies proposed by Senate Bill 841 (S-1).

Senate Bill 843 would amend the Sex Offenders Registration to include a violation of sexual contact with a dead human body and sexual penetration with a dead human body proposed under Senate Bill 841 (S-1) as a tier I offense and a tier III offense, respectively.

Senate Bill 842 and Senate Bill 843 are tie-barred to Senate Bill 841. Each bill would take effect 90 days after its enactment.

Proposed MCL 750.160d (S.B. 841)
MCL 777.16i (S.B. 842)
28.722 (S.B. 843)

BRIEF RATIONALE

In 2021, Melody Rohrer was murdered and, following her murder, was the victim of sexual assault. The perpetrator of this crime was found guilty of first-degree murder, concealing the death of an individual, and failing to stop at the scene of an accident but was not charged with a crime pertaining to the subsequent assault.¹ The State does not currently have specific prohibition on necrophilia. According to testimony, the current laws do not go far enough to hold perpetrators accountable. It has been suggested to criminalize necrophilia and to require an offender to register with the Michigan Public Sex Offender Registry (SOR).

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

Senate Bills 841 & 842

The bills would have a negative fiscal impact on the State and local government. New felony arrests and convictions under the bills could increase resource demands on law enforcement,

¹"Western Michigan man gets life for striking woman with pickup, leaving body in woods," CBS News Detroit. Retrieved 5-20-24.

court systems, community supervision, jails, and correctional facilities; however, it is unknown how many people would be prosecuted under provisions of the bills. The average cost to State government for felony probation supervision is approximately \$4,600 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 \$48,700. Per diem rates range from \$100 to \$431 per day (average per diem is \$135), depending on the security level of the facility. Any associated increase in fine revenue would increase funding to public libraries.

The bills would have no fiscal impact on State or local courts.

Senate Bill 843

The bill would have a minimal fiscal impact on the Department of State Police. The Department, which administers the SOR, would have to add a violator of Senate Bill 841 (S-1) to the SOR and update the charges in the violation tables. There also would be some minimal costs associated with enforcement and court costs for violators, to a degree that cannot be determined at this time as it would depend on the number of offenders under the new law.

Date Completed: 5-20-24

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