

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

(517) 373-5383

RECEIVED

NOV 19 1987

Michigan State Law Library

**Senate Bill 290 (Substitute S-1 as reported)**

Sponsor: Senator Frederick Dillingham

Committee: Judiciary

Date Completed: 11-3-87

**RATIONALE**

Reportedly, because minors cannot be criminally prosecuted as adults, they frequently are used by adult offenders to commit acts that are criminal in nature. This appears to be true particularly in the case of illegal drug suppliers, who often use youngsters as distributors and runners to insulate the dealers from liability. It has been suggested that stiffer penalties for inducing minors to commit criminal acts would discourage that practice.

**CONTENT**

The bill would amend the Michigan Penal Code to make it a felony for a person who was 17 years of age or older to recruit, induce, solicit, or coerce a minor less than 17 years of age to commit or attempt to commit an act that would be a felony if committed by an adult. The offender would have to be punished by imprisonment for not more than the maximum term of imprisonment authorized by law for such an offense. The person also could be punished by a fine of not more than three times the amount of the fine authorized by law for the offense.

Proposed MCL 750.157c

**FISCAL IMPACT**

The bill would have an indeterminate impact on State expenditures for FY 1986-87. Aggregated statistics indicating the number of individuals involved in similar offenses contained in this bill and the ages of the individuals involved are not available for analysis.

**ARGUMENTS****Supporting Argument**

This State has seen a crime explosion in recent years, with much of this criminal activity being perpetrated by minors. Many of these juveniles are acting on behalf of adult offenders seeking to insulate themselves from prosecution. By mandating imprisonment for up to the maximum term prescribed for the offense induced, and allowing up to three times the amount of the applicable fine, for inducing a minor to commit what would be a felony if committed by an adult, the bill would send a clear message that this practice is a serious criminal offense subject to severe penalties.

Legislative Analyst: S. Margules

Fiscal Analyst: B. Burghardt

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.

S.B. 290 (11-3-87)