

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

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**Senate Bill 397 (as reported without amendment)****Sponsor: Senator Harmon Cropsey****Committee: Criminal Justice, Urban Affairs, and Economic Development****Date Completed: 1-25-88*****RATIONALE***

The Code of Criminal Procedure provides that persons who commit a crime punishable by imprisonment while incarcerated in, or during a period of escape from, a State penal institution are subject to a consecutive sentence for the subsequent crime. A person who commits a felony while on parole from a previous sentence, however, is not subject to that provision. Since parole is part of a sentence for a previous crime, some people believe that persons who commit a felony while on parole also should be sentenced consecutively.

***CONTENT***

Senate Bill 397 would amend the Code of Criminal Procedure to require that the term of incarceration of a person convicted and sentenced to imprisonment for a felony committed while on parole would have to begin "at the expiration of the remaining portion of the term of imprisonment imposed for the previous offense".

MCL 768.7a

***FISCAL IMPACT***

The bill would result in an indeterminate expenditure increase for the State in FY 1987-88. The indeterminate increase would be the result of three primary factors: The date the bill would take effect during FY 1987-88; the number of individuals that would be convicted of a new felony offense and sentenced to imprisonment while on parole; and, the average length of sentence imposed by the sentencing judge.

***ARGUMENTS******Supporting Argument***

The bill would ensure that persons serving out the remainder of a sentence on parole were subject to the same consecutive sentencing mandate for a subsequent crime as are persons who commit crimes while incarcerated or during escape from incarceration.

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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.

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