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BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

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Senate Bill 279

Sponsor: Senator Rudy J. Nichols

Committee: Judiciary

Date Completed: 4-20-89

SUMMARY OF SENATE BILL 279 as introduced 4-5-89:

The bill would amend the Code of Criminal Procedure to authorize courts to impose a consecutive sentence for a second or subsequent felony conviction.

A court that imposed sentence for a second or subsequent offense, whether the felonies were in the same proceeding or court or in different proceedings or courts, would have to specify whether the sentence was to run concurrently with or consecutively to the sentence for the other or most recent conviction. If the court failed to specify, the sentence would have to run concurrently with any other sentence imposed. If a consecutive sentence were imposed, the prison term for the second or subsequent offense would have to begin at the termination of the term of imprisonment for the most recent conviction.

Proposed MCL 769.9a

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would result in an indeterminate expenditure increase for the State in FY 1988-89. The indeterminate increase would be the result of two primary factors:

- The date the bill would take effect during FY 1988-89.
- The number of persons on whom the court would impose consecutive versus concurrent sentencing.

If the court imposed the consecutive sentence option, based on a \$19,200 average cost per prisoner for FY 1988-89, the State would experience an increased cost of \$19,200 for each year of the consecutive sentence.

Fiscal Analyst: B. Burghardt

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