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BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

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Senate Bill 377 (Substitute S-2 as passed by the Senate)

Sponsor: Senator Jon Cisky

Committee: Judiciary

Date Completed: 3-11-92

RATIONALE

The Governor, the Lieutenant Governor, Legislators, and the families of those individuals reportedly are sometimes the subject of threats of physical violence, due to the visibility of their positions and their necessary involvement in controversial issues. Since these individuals are exposed to threat by virtue of their public office, some people feel that making such threats should be designated in law as a felony and should carry a severe penalty.

CONTENT

The bill would amend the Michigan Penal Code to prohibit a person from maliciously threatening to kill, or injure the health of, the Governor, Lieutenant Governor, a member of the Legislature, or a family member of any of those officials, with the intent to carry out the threat. A violation would be a felony, punishable by up to four years' imprisonment, a maximum fine of \$2,000, or both.

Proposed MCL 750.490b

FISCAL IMPACT

The bill would have an indeterminate impact on State government. Additional costs could be incurred as a result of imprisoning violators of the bill in State prison. It currently costs approximately \$25,000 per year to incarcerate a person in the State prison system. The actual cost of the bill would depend on the number of people convicted and the length of prison sentence imposed per conviction.

There also could be additional revenue generated by the \$2,000 maximum fine imposed on

violators of the bill. The total amount of revenue generated would depend on the number of people convicted under the bill and the size of fines imposed.

ARGUMENTS**Supporting Argument**

A person who maliciously threatened the Governor, Lieutenant Governor, a member of the Legislature, or the family of any of those people should be subject to harsh penalties. These elected officials are in the public spotlight and often must make decisions on divisive and controversial issues, which tends to make them and their families more vulnerable to threats than are most members of society. The bill would discourage those who would make threats and severely punish those who did.

Response: Other public officials, such as police officers, judges, and prosecutors, may be even more likely targets of threats to their life or health, yet there is no specific penalty for threatening them.

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