



**Senate Fiscal Agency**  
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**BILL ANALYSIS**



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Senate Bill 473 (as enrolled)  
 Sponsor: Senator William Van Regenmorter  
 Committee: Judiciary

Date Completed: 5-4-95

**RATIONALE**

Public Act 196 of 1989 created the Criminal Assessments Commission and the Crime Victim's Rights Fund to provide a method of implementing the crime victims' rights established by Article I, Section 24 of the State Constitution, and the crime victims rights services required by the Crime Victim's Rights Act. To fund crime victims' services, the Act requires courts to impose assessments against convicted criminal defendants. A 1993 amendment to the Act extended its assessment provisions to a list of "specified misdemeanors" and increased the assessment on persons convicted of felonies and serious misdemeanors. Apparently, some of the offenses included as "specified misdemeanors" are enforced by local units of government as violations of local ordinances that parallel State law's misdemeanor violations. Since local violations that correspond to the Act's specified misdemeanors are not included in the definition of that term, it may be that the \$30 Crime Victim's Rights Fund assessments for those violations are not being collected on a consistent basis. Some people believe that corresponding local ordinance violations should be included in the Act's definition of "specified misdemeanor".

**CONTENT**

The bill would amend Public Act 196 of 1989 to provide that the Act's definition of "specified misdemeanor" would include a local ordinance substantially corresponding to a State law listed in that definition.

MCL 780.901

**ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

**Supporting Argument**

The bill would ensure that a violation of a local ordinance that also constituted a violation of a specified misdemeanor under Public Act 196 of 1989 would be subject to that Act's \$30 Crime Victim's Rights Fund assessment. A convicted defendant should not be able to avoid paying the assessment simply because he or she was charged under a local ordinance rather than a State law.

Legislative Analyst: P. Affholter

**FISCAL IMPACT**

The Crime Victim's Rights Fund would increase to the extent that there were convictions and assessments under local ordinances that correspond to State law. There currently are no data available on the number of local ordinances that correspond to State laws included as "specified misdemeanors".

Fiscal Analyst: L. Nacionales-Tafoya

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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.