



**Senate Fiscal Agency**  
**P. O. Box 30036**  
**Lansing, Michigan 48909-7536**

BILL



ANALYSIS

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House Bill 4003 (as reported by the Committee of the Whole)  
Sponsor: Representative David Anthony  
House Committee: Agriculture and Forestry  
Senate Committee: Agriculture and Forestry

### **CONTENT**

The bill would amend the Michigan Penal Code to prescribe criminal penalties for activities commonly known as "tree spiking". The offense would be a felony if it resulted in injury or death to another person; otherwise, it would be a misdemeanor.

Specifically, a person would be guilty of a misdemeanor if he or she drove or placed in or on any tree or saw log, without the owner's prior consent, any iron, steel, or other substance sufficiently hard to damage saws or wood manufacturing or processing equipment with the intent to cause inconvenience, annoyance, or alarm to any other person. The offense would be punishable by imprisonment for up to 90 days, a maximum fine of \$500, or both.

A person would be guilty of a felony, punishable by imprisonment for up to four years and/or a fine of up to \$2,500, if he or she drove or placed in or on any tree or wood product, without the owner's prior consent, any iron, steel, or other substance sufficiently hard to damage saws or wood manufacturing or processing equipment with the intent to cause inconvenience, annoyance, or alarm to any other person and, by doing so, caused injury to a person. If the activity caused death to a person, the offense would be punishable by imprisonment for up to 15 years, a maximum fine of \$7,500, or both.

The bill would take effect on May 1, 1996.

Proposed MCL 750.495a

Legislative Analyst: S. Margules

### **FISCAL IMPACT**

The bill would have an indeterminate, yet likely insignificant fiscal impact on State and local government.

According to information provided by the Department of Natural Resources, "tree spiking" is not yet a significant problem in Michigan. Consequently, total annual convictions for violating the provisions of the bill are not expected to be great. In the event that either felony or misdemeanor convictions for tree spiking were to increase, however, costs for arresting, convicting, and sanctioning offenders could increase.

Date Completed: 2-1-96

Fiscal Analyst: M. Hansen

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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.