



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 5607 (Substitute S-1 as reported)
Sponsor: Representative Terry Geiger
House Committee: Judiciary and Civil Rights
Senate Committee: Families, Mental Health and Human Services

CONTENT

The bill would amend the Code of Criminal Procedure to specify that a person who trespassed on a State correctional facility in violation of House Bill 5609 could be arrested without a warrant by any employee of the Department of Corrections designated by the Director of the Department as having the authority to arrest such persons. House Bill 5607 would take effect on January 1, 1997.

“State correctional facility” would mean a facility or institution that housed a prisoner population under the jurisdiction of the Department of Corrections. It would not include a community corrections center or a community residential home.

The bill is tie-barred to House Bills 5608 and 5609. House Bill 5608 would amend Public Act 80 of 1905 to specify that trespassing on a State correctional facility would be governed by House Bill 5609, and that the warrantless arrest of a person for trespassing on a State correctional facility by a superintendent, watchperson, or guard would be limited to those persons authorized under House Bill 5607. House Bill 5609 would amend the Michigan Penal Code to specify that a person who willfully trespassed by entering or remaining on the property of a State correctional facility without authority or permission to enter or remain would be guilty of a felony punishable by imprisonment for up to four years or a fine of up to \$2,000, or both.

Proposed MCL 764.23a

Legislative Analyst: L. Burghardt

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 5-6-96

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.