

Senate Fiscal Agency  
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**SFA**

BILL ANALYSIS

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Senate Bill 852 (Substitute S-1 as reported)  
Sponsor: Senator William Van Regenmorter  
Committee: Judiciary

### **CONTENT**

The bill would amend the Crime Victim's Rights Act to include in the Act's definition of "serious misdemeanor" a driving offense committed by a person who was impaired by, or under the influence of, a "chemical agent" (as proposed by Senate Bill 853).

Article 3 of the Crime Victim's Rights Act outlines the rights of a victim of a "serious misdemeanor". Among the offenses included in the definition of "serious misdemeanor" is operating a vehicle while under the influence of, or impaired by, intoxicating liquor or a controlled substance, or with an unlawful blood alcohol content, if the violation involves an accident resulting in damage to another person's property or physical injury or death to another individual.

The bill would add to that provision being impaired by or under the influence of a chemical agent, or any combination of intoxicating liquor, a controlled substance, or a chemical agent.

(Senate Bill 853 (S-1) would define "chemical agent" as "a substance containing or consisting of a chemical, anesthetic gas, or organic solvent, or any combination of a toxic chemical, anesthetic gas, or organic solvent, that is toxic or releases toxic vapors". "Chemical agent" would include, but not be limited to, acetone, toluene, carbon tetrachloride, hydrocarbons, hydrocarbon derivatives, glue, and nitrous oxide.)

The bill would take effect on May 1, 1998, and is tie-barred to Senate Bill 853.

MCL 780.811

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

Senate Bills 852 (S-1) and 853 (S-1) would have an indeterminate fiscal impact on State and local government.

There are no data currently available that would indicate how many more people might be convicted if chemical agents were added to drunk driving violations. However, State and local government could incur costs for incarceration and/or receive additional fine revenue based on the additional number of convictions under the proposed legislation. Further, the State could incur additional costs for technical computer programming costs to implement the program.

Date Completed: 3-11-98

Fiscal Analyst: E. Limbs