
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 1071 (Substitute S-1 as reported)
Sponsor: Senator Michael J. Bouchard
Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to revise the definition of "sexual contact" in the Code's criminal sexual conduct (CSC) provisions.

"Sexual contact" includes the intentional touching of a victim's or actor's "intimate parts" or the intentional touching of the clothing covering the immediate area of those parts, if the intentional touching can reasonably be construed as being for "the purpose of sexual arousal or gratification". Under the bill, the definition would apply if the intentional touching could reasonably be construed as being for "a sexual or assaultive purpose", and references to sexual arousal or gratification would be deleted. ("Intimate parts" includes the primary genital area, groin, inner thigh, buttock, or breast of a human being.)

The felony of second-degree CSC and the misdemeanor of fourth-degree CSC involve sexual contact, as opposed to sexual penetration.

MCL 750.520a

Legislative Analyst: P. Affholter

FISCAL IMPACT

Senate Bill 1071 (S-1) would change the definition of the crime, not the criminal penalties. Assuming that the change in the definition would increase the number of people convicted of second- or fourth-degree CSC, the cost of incarceration for State and local government would increase. There are no data to indicate the increased number of people who would be found guilty of this crime.

Date Completed: 11-12-98

Fiscal Analyst: K. Firestone