

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 4364 (as reported without amendment)
Sponsor: Representative Timothy Walberg
House Committee: Corrections
Senate Committee: Judiciary

CONTENT

The bill would amend the Code of Criminal Procedure to include in the list of conditions that a court may require of a probationer both of the following:

- That the probationer be subject to conditions reasonably necessary for the protection of one or more named persons.
- That the probationer reimburse the county for expenses incurred by the county in connection with the conviction for which probation was ordered, as provided in the Prisoner Reimbursement to the County Act (pursuant to House Bill 4365).

The bill also provides that, if an order or amended order of probation contained a condition for the protection of one or more named persons, the court would have to order a law enforcement agency within its jurisdiction to enter the order into the Law Enforcement Information Network (LEIN). If the court rescinded the order or condition, it would have to notify the law enforcement agency, which would have to remove the order or condition from the LEIN.

The bill is tie-barred to House Bill 4365.

MCL 771.3

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. To the extent that the State provides probation agents to monitor offenders subject to probation, and that the bill would create additional conditions of probation that could be imposed by a judge including the protection of one or more persons and the reimbursement to the county for the expenses related to conviction, monitoring workloads would increase. However, there are no data to indicate the amount that workloads could increase. To the extent that local governments would be reimbursed for expenses incurred, costs for local government would be reduced.

Date Completed: 9-23-98

Fiscal Analyst: K. Firestone