

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 525 (Substitute S-2 as reported)
Sponsor: Senator Loren Bennett
Committee: Judiciary

CONTENT

The bill would amend the Code of Criminal Procedure to provide that, as part of a sentence for any offense that a court determined was directly related to a riot, incitement to riot, unlawful assembly, or civil disorder on or within 2,500 feet of the campus of a public community college, public college, or public university, the court would have to order the convicted person not to enter upon any public community college, public college, or public university campus. If the offense were a felony, the campus ban would have to be for two years after sentencing; if it were a misdemeanor, the ban would be for one year. If the person were sentenced to a term of imprisonment, the ban would apply for the appropriate period after the term of imprisonment. If the person were placed in the jurisdiction of the Department of Corrections for the violation, the court would have to request that the parole board make the bill's prohibition a condition of parole.

An order issued under the bill would be in addition to any other penalty or condition of probation imposed for the underlying violation. The bill would not require that any person be convicted of riot, incitement to riot, unlawful assembly, or civil disorder.

An order issued under the bill would not apply to either entering onto the campus of a public community college, college, or university to obtain medical treatment or traveling on a public highway situated on the campus of a public community college, college, or university for purposes of traveling to another location.

The bill would take effect on August 15, 1999.

Proposed MCL 769.1g

Legislative Analyst: P. Affholter

FISCAL IMPACT

Senate Bill 525 would have no direct cost for State or local government. To the extent that the ban would be a condition of parole or probation, however, State or local government would incur costs for sanctioning individuals who violated this condition of parole or probation. On average, a parole violator who is returned to a State prison serves 10 months. Assuming that the average annual cost of incarceration in a State facility is \$22,000, the increased cost for technical rule violator admissions to prison is \$18,300.

In 1997, there were seven people convicted of unlawful assembly, two people convicted of incitement to riot, and no one convicted of rioting.

Date Completed: 5-10-99

Fiscal Analyst: K. Firestone

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Analysis available @ <http://www.michiganlegislature.org>

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.