
Senate Fiscal Agency
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Senate Bills 1095, 1096, and 1097 (as reported without amendment)

Sponsor: Senator Christopher D. Dingell

Committee: Government Operations

CONTENT

Senate Bills 1095 and 1097 would repeal sections of the Michigan Penal Code that pertain to offenses involving railroad tickets. Senate Bill 1096 would delete a provision of the Code of Criminal Procedure that contain sentencing guidelines corresponding to the offense that would be repealed by Senate Bill 1095.

Senate Bill 1095 would repeal Section 179 of the Penal Code, which makes it a felony for an officer, agent, or employee of a railroad company to embezzle, dispose of, or convert to his or her own use any railroad passenger ticket, or to use tickets that previously had been used. Senate Bill 1096 would delete a provision of the Code of Criminal Procedure under which a violation of Section 179 is a Class G property offense subject to a statutory maximum sentence of four years' imprisonment.

Senate Bill 1097 would repeal Section 266 of the Penal Code, which makes it a felony to forge, counterfeit, or alter a railroad passenger ticket, with the intent to injure or defraud, or to sell a forged, altered, or counterfeit railroad passenger ticket.

MCL 750.179 (S.B. 1095)
777.16i (S.B. 1096)
750.266 (S.B. 1097)

Legislative Analyst: G. Towne

FISCAL IMPACT

The bills would have an indeterminate fiscal impact on State and local government.

According to the 1997 Annual Statistical report, there were no convictions for or felons serving for these crimes. By repealing these sections, the State would neither incur costs of incarceration nor receive fine revenues, to the extent that these are felony offenses that are punishable by terms up to life in prison. However, given that no one was convicted of these crimes or incarcerated for them, the fiscal impact on State government would be neutral.

The sentencing guidelines would be repealed for embezzlement of passenger tickets, a G grid crime with a minimum sentence ranging from 0-3 months to 7-23 months. If one offender a year were convicted of this crime and received the highest minimum sentence, by repealing the section, the State would save the cost of incarceration, which averages \$22,000 annually. Local units of government would save the costs of incarceration or intermediate sanction for any offender whose lower minimum sentence guideline range was less than 13 months.

Date Completed: 3-21-00

Fiscal Analyst: K. Firestone