
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bills 1108 and 1109 (as reported without amendment)
Sponsor: Senator Thaddeus G. McCotter
Committee: Government Operations

CONTENT

Senate Bills 1108 and 1109 would amend the Code of Criminal Procedure and the Michigan Penal Code, respectively, to remove penalty provisions for inciting Indians to violate a peace treaty or U.S. law.

Under Section 348 of the Penal Code, it is a felony to incite or attempt to incite any Indian nation, tribe, chief, or individual to violate any peace treaty, disturb the peace, or violate any law of the United States. Senate Bill 1109 would repeal Section 348.

Under the sentencing guidelines in the Code of Criminal Procedure, a violation of Section 348 of the Penal Code is a class H offense against public safety, with a four-year statutory maximum sentence. Senate Bill 1108 would delete that provision.

MCL 777.16q (S.B. 1108)
750.348 (S.B. 1109)

Legislative Analyst: N. Nagata

FISCAL IMPACT

Senate Bills 1108 and 1109 would have an indeterminate fiscal impact on State government.

There are no data available to indicate how many offenders a year are convicted of inciting or attempting to incite Indians to violate peace treaties or U.S. laws.

Date Completed: 5-12-00

Fiscal Analyst: K. Firestone