

Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 1212 (as introduced 4-12-00)
Sponsor: Senator William Van Regenmorter
Committee: Judiciary

Date Completed: 5-9-00

CONTENT

The bill would amend the Michigan Vehicle Code to allow a court to order that a term of imprisonment be served consecutively to any other term of imprisonment for any other violation arising out of the same criminal transaction, when a person was sentenced to a term of imprisonment for any of the following violations involving more than one death and arising out of the same violation:

- First-degree fleeing and eluding (MCL 257.602a(5)).
- Leaving the scene of an accident when the driver knows or has reason to believe that he or she has been involved in an accident resulting in serious or aggravated injury to or the death of a person (MCL 257.617).
- Causing a death by operating a vehicle while under the influence of liquor or a controlled substance or while visibly impaired due to the consumption of liquor or a controlled substance (MCL 257.625(4)).
- Causing a death by operating a vehicle without a driver's license or with a suspended or revoked license (MCL 257.904(4)).

Proposed MCL 257.911

Legislative Analyst: P. Affholter

FISCAL IMPACT

Senate Bill 1212 would result in indeterminate, but potentially increased costs for State government.

There are no data available to indicate how many people could be subject to consecutive sentences arising out of the same violation for the enumerated crimes and resulting in one or more deaths. To the extent that an offender would serve a longer period of time in a State facility by serving terms of incarceration consecutively instead of concurrently, costs of incarceration for that offender would increase. For example, assuming an offender is paroled upon the completion of his or her minimum sentence, if the offender received a minimum sentence of eight years for one crime and five years for another served concurrently, with an average annual cost of incarceration of \$22,000 per year, the total cost of incarceration would be \$176,000. If the minimum sentences for the crimes were served consecutively for a total of 13 years' incarceration, the total cost of incarceration would be \$286,000.

Fiscal Analyst: K. Firestone

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