

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 5568 (Substitute H-2 as reported without amendment)
Sponsor: Representative Janet Kukuk
House Committee: Criminal Law and Corrections
Senate Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to prohibit a person from transferring or attempting to transfer the legal or physical custody of an individual to another person for money or other valuable consideration, except as otherwise permitted by law. A person also could not acquire or attempt to acquire the legal or physical custody of an individual for payment of money or other valuable consideration to another person, except as otherwise permitted by law.

A violation of the bill would be a felony, punishable by up to 20 years' imprisonment, a maximum fine of \$100,000, or both.

The bill would take effect on September 1, 2000.

Proposed MCL 750.136c

Legislative Analyst: P. Affholter

FISCAL IMPACT

House Bill 5568 (H-2) would have an indeterminate fiscal impact on State and local government.

There are no data available to indicate how many people could be convicted of buying or selling another individual. If the crime were a Class B felony (as proposed in Senate Bill 1199 (S-1), which is tie-barred to this bill), the minimum sentencing range would be between 0-18 months and 117-160 months. Assuming that two people a year were convicted of this offense and were sentenced to and served a minimum term of 160 months, given an average annual cost of incarceration of \$22,000, the annual cost of incarceration would be \$587,000.

Date Completed: 5-25-00

Fiscal Analyst: K. Firestone