SB402   SUBSTITUTE   **Sponsor**   Sen. William Van Regenmorter
H-1

     Committee   CRIMINAL JUSTICE

SB403   AS PASSED BY THE SENATE   **Sponsor**   Sen. Beverly Hammerstrom

     Committee   CRIMINAL JUSTICE

SB404   SUBSTITUTE   **Sponsor**   Sen. Valde Garcia
H-1

     Committee   CRIMINAL JUSTICE

SB405   AS PASSED BY THE SENATE   **Sponsor**   Sen. Christopher D. Dingell

     Committee   CRIMINAL JUSTICE

SB406   SUBSTITUTE   **Sponsor**   Sen. Bill Schuette
H-1

     Committee   CRIMINAL JUSTICE

SB407   SUBSTITUTE   **Sponsor**   Sen. Thaddeus McCotter
H-2

     Committee   CRIMINAL JUSTICE

SB408   SUBSTITUTE   **Sponsor**   Sen. Jr., Bill Bullard
H-1

     Committee   CRIMINAL JUSTICE

SB409   SUBSTITUTE   **Sponsor**   Sen. Harry Gast
H-1

     Committee   CRIMINAL JUSTICE

SB410   SUBSTITUTE   **Sponsor**   Sen. Martha G. Scott
H-2

     Committee   CRIMINAL JUSTICE

SB411   SUBSTITUTE   **Sponsor**   Sen. Gary Peters
H-3

     Committee   CRIMINAL JUSTICE

State Fiscal Impact		Local Fiscal Impact	
Cost	Indeterminate	**Cost**	Indeterminate/Increase
Revenues	None	**Revenues**	Indeterminate/Increase

Senate Bills 402 through 411 constitute a package of bills to raise the dollar value of the misdemeanor-felony threshold and establish graduated sanctions for a variety of offenses where money or property is illegally obtained. Senate Bill 402 would amend 1976 PA 223 and address offenses involving fraudulent awards under the crime victim's compensation act. Senate Bill 404 would amend the Michigan Family Farm Development Act and address offenses involving fraud in obtaining agricultural property or other thing of value, including a program established under the act. Senate Bill 406 would amend the Construction Lien Act and address false statements made under that act. Senate Bill 408 would amend the State Housing Development Authority Act of 1966 and address fraud committed in connection with programs established under the act. Senate Bill 410 would amend the Natural Resources and Environmental Protection Act and address the unauthorized removal of forest products or other property.

Senate Bills 403, 405, 407, 409, and 411 would amend the Code of Criminal Procedure to establish sentencing guidelines consistent with the new felony offenses to be established under the other bills in the package.

The bills would have an indeterminate fiscal impact on the state and local units of government. According to the Department of Corrections statistical report, one person was sentenced in 1998 for any of the felony offenses for which the bills would raise the dollar value of the misdemeanor-felony threshold and established graduated sanctions established based on the amount of money involved and the number of prior convictions. That offender was sentenced under the Construction Lien Act and received probation. There are no data on the number of misdemeanor convictions obtained under the applicable portions of current law.

Felony convictions for the applicable offenses are rare under current law; an increase in the misdemeanor-felony threshold suggests that they would become even rarer. However, the bills generally would provide for longer terms of imprisonment and higher fines than are currently available for the offenses, and thus could increase state costs of incarceration and increase collection of penal fine revenues (which go to local libraries) over what they would otherwise have been. However, given the likelihood that there would continue to be relatively few felony offenders sentenced under the bills, state cost increases, if any, would be minimal.

As noted above, there was only one felony disposition for any of the instant offenses in 1998, and there is no information available on the number of misdemeanor dispositions. However, it is reasonable to assume that the increase in the misdemeanor-felony threshold would not appreciably increase the number of misdemeanor offenders convicted under the applicable sections of law, unless the frequency of misdemeanor convictions is at present so low that an increase of one or two per year would constitute a significant increase.