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HOUSE FISCAL AGENCY

124 N. Capitol Avenue
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HB4200 AS REPORTED WITH AMENDMENT(S)

Sponsor
Committee

Rep. Michael Kowall
CRIMINAL JUSTICE

Analyst(s) Peterson, Marilyn

Completed 5/23/01

State Fiscal Impact

Cost	None
Revenues	None

Local Fiscal Impact

Cost	Indeterminate/Increase
Revenues	None

The bill would amend the Michigan Liquor Control Code to authorize the use of a jail sentence of up to 90 days for the misdemeanor offense of "minor-in-possession" of alcohol; the code already provides for a maximum fine of \$100 to \$500, depending on circumstances, as well as community service work and/or substance abuse screening and assessment.

Under the act, "minor" means anyone under age 21; because youths under age 17 are juveniles and cannot be sentenced to jail, the bill would in effect apply only to offenders aged 17 through 20 years old. The frequency with which jail would be utilized for these offenders cannot be predicted at this time; however, the Department of State reports that in 2000, there were 27,052 convictions for minor-in-possession under MCL 436.1703 (1), which is the applicable section of the Michigan Liquor Control Act. This total is down somewhat from 1999's total of 27,757 convictions. To the extent that the bill led to increased use of jail to sanction minors-in-possession, it could increase local correctional costs.