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HOUSE FISCAL AGENCY

124 N. Capitol Avenue
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HB5281 SUBSTITUTE

Sponsor: Rep. Scott Hummel

H-4

Committee: CRIMINAL JUSTICE

Analyst(s): Peterson, Marilyn
Jen, Kyle

Completed: 10/29/01

State Fiscal Impact

Cost: Indeterminate/Increase
Revenues: None

Local Fiscal Impact

Cost: Indeterminate/Increase
Revenues: Indeterminate/Increase

Under the Michigan Penal Code, enhanced misdemeanor penalties for domestic assault apply to offenders who have previously been convicted of assault, domestic or otherwise. The bill would amend the penal code to allow assault convictions from other states to count as prior offenses for the purpose of those enhanced penalties, which are up to one year in jail and/or a fine of up to \$1,000. To the extent that the bill led to longer jail stays for domestic assault offenders, it could increase local correctional costs. To the extent that the bill increased collections of penal fines, it would increase penal fine revenues going to local libraries, which are the constitutionally-designated recipients of penal fine revenue.

In addition, the bill would make simple assault or assault and battery a 93-day misdemeanor (rather than the 90-day misdemeanor that it is now), thereby triggering state police fingerprinting and recordkeeping requirements. The bill thus could increase costs for the Department of State Police by a significant amount.