

**TERRORISM: REIMBURSEMENT OF
VICTIMS AND MUNICIPALITIES**

House Bill 5512
Sponsor: Rep. Gilda Z. Jacobs
Committee: Criminal Justice

Complete to 1-14-02

A SUMMARY OF HOUSE BILL 5512 AS INTRODUCED 12-12-01

Under provisions of the Code of Criminal Procedure, a court is required, when sentencing a defendant convicted of a felony, misdemeanor, or ordinance violation, to order the defendant to make full restitution to his or her victim for loss or destruction of property or for the victim's physical or psychological injuries. The code also allows a court to require the defendant, as part of the sentence for a conviction of certain offenses, to reimburse the state or a local unit of government for expenses incurred in relation to the incident including, but not limited to, expenses for an emergency response and expenses for prosecuting the crime.

House Bill 5512 would amend the Michigan Penal Code by adding to Chapter LXXXIII-A, entitled "Michigan Anti-terrorism Act" (which would be created by Senate Bill 930). The bill would require a court to impose costs on a person who violated the Anti-terrorism Act to reimburse a victim or any governmental agency for its expenses incurred as a result of the violation as provided in the Code of Criminal Procedure (MCL 769.1a and MCL769.1f, respectively).

"Governmental agency" would mean any agency of Michigan, a local unit of government, or the federal government. "Victim" would mean that term as defined in the Code of Criminal Procedure (MCL 769.1a). ("Victim" is defined in the Code of Criminal Procedure as "an individual who suffers direct or threatened physical, financial, or emotional harm as a result of the commission of a felony, misdemeanor, or ordinance violation.")

MCL 750.543h

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■This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.