



Telephone: (517) 373-8080
Facsimile: (517) 373-5874
www.house.state.mi.us/hfa

FISCAL ANALYSIS

Mitchell Bean, Director
124 N. Capitol Avenue
4-N HOB Lansing, MI

HOUSE BILL 5298 WITH COMMITTEE AMENDMENTS

Sponsor: Rep. James Koetje

First House Committee: Criminal Justice

FLOOR ANALYSIS - 2/13/02

Analyst(s): Marilyn Peterson

SUMMARY

The bill would amend the Code of Criminal Procedure to revise the burden and standard of proof with regard to the assertion of a defense of "guilty but mentally ill." Under the bill, the burden would be upon the defendant to prove by a preponderance of the evidence that he or she was mentally ill at the time of the offense. The bill would have an indeterminate impact on the state and local units of government, depending on how it affected the application of this defense.