

SENTENCING GUIDELINES: GUIDE DOG INTERFERENCE



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 6208 AS INTRODUCED

Sponsor: Rep. Jerry Vander Roest

House Committee: Criminal Justice

COMMITTEE ANALYSIS - 6/17/02

Analyst(s): Marilyn Peterson

SUMMARY

The bill would amend the Code of Criminal Procedure to establish sentencing guidelines for felonies to be created by HB 5154, and as such could increase state or local correctional costs to an indeterminate degree. As passed by the House, HB 5154 would revise the penal code's proscriptions against interfering with or harming a guide dog or other service dog; current provisions would be replaced with new ones that, among other things, would establish graduated misdemeanor penalties for certain repeat offenses and felony penalties for certain particularly egregious offenses.

To intentionally injure or kill a service animal would be a felony punishable by imprisonment for up to five years, a fine of up to \$10,000, or both. Under HB 6208, this crime would be categorized as a Class E crime against a person. Recommended minimum sentence ranges for Class E offenses vary from 0-3 months (which calls for a local sanction) to 24-38 months (for which a prison sentence is generally mandated).

To exert unauthorized control over a service animal with the intent to deprive the user of the animal's service would be a felony punishable by imprisonment for up to ten years, a fine of up to \$20,000, or both. Under HB 6208, this crime would be categorized as a Class D crime against a person. Recommended minimum sentence ranges for Class D offenses vary from 0-6 months (which calls for a local sanction) to 43-76 months (for which a prison sentence is generally mandated).

In conjunction with HB 5154, the bill could increase state or local correctional costs, depending on how it affected numbers of convictions, sentence types and lengths, and probation caseloads. The bill also could increase collections of penal fine revenues, which are constitutionally dedicated to local libraries.