

Fiscal Analysis

MINOR IN POSSESSION: BODY ALCOHOL CONTENT



Bill/Sponsor **SENATE BILL 637 Substitute (H-1), Sen. Thomas George**

House Committee Criminal Justice

Analysis

Summary

The bill would amend the Michigan Liquor Control Code to include having any bodily alcohol content as one of the ways in which a young person could be in violation of the law's proscription against being a minor in possession of alcohol. It also would provide for "discharge and dismissal" of proceedings against a first-time offender, to provide for terms of incarceration for minors found in violation of the statute, and to extend current and proposed penalties to violations of local ordinances substantially corresponding to the applicable state statute.

Fiscal Impact

The bill would have no impact on the state and an indeterminate impact on local units of government depending on whether the offender was processed as an adult (the offense is a misdemeanor) or adjudicated as a minor (typically, youth under age 17 are adjudicated as minors), and on how the bill affected charging and sentencing practices. Incarceration and probation supervision of adults convicted of misdemeanor offenses is a local responsibility, as is detention and supervision of juveniles. Any impact on collections of fines would affect local libraries, which are the constitutionally-designated recipients of penal fine revenues.

Analyst(s)

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FLOOR ANALYSIS - 12/15/03

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