

# Fiscal Analysis

## APPLICATION OF ROBBERY AND CARJACKING STATUTES



---

**Bill/Sponsor**                    **HOUSE BILL 5105 as introduced, Rep. Van Regenmorter**

**House Committee**            Criminal Justice

### **Analysis**

#### **Summary**

The bill would amend the Michigan Penal Code's proscriptions against carjacking and robbery to explicitly apply the provisions to acts that occurred in attempts to commit the offense, during commission of the offense, in flight or attempted flight after the offense, or in an attempt to retain possession of the property being stolen.

#### **Fiscal Impact**

The fiscal impact of the bill would depend on how it affected the numbers of convictions obtained for robbery and carjacking. Armed robbery and carjacking are Class A offenses punishable by life or any term of years, while unarmed robbery is a Class C offense punishable by imprisonment for up to 15 years. In addition, armed robbery that includes an aggravated assault carries a mandatory minimum of two years, and a carjacking sentence is to run consecutively to any other sentence imposed for a conviction arising out of the same transaction.

Under sentencing guidelines, recommended minimum sentence ranges for Class A offenses vary from 21-35 months to 270-450 months or life; prison is recommended for all of these sentences. Recommended minimum sentence ranges for Class C offenses vary from 0-11 months (for which local sanctions are required) to 62-114 months (for which a prison term is mandated). Thus, under the bill, state correctional costs deriving from convictions armed robbery, unarmed robbery, and carjacking could increase, and local costs connected to convictions for unarmed robbery could increase.

### **Analyst(s)**

Marilyn Peterson

COMMITTEE ANALYSIS - 2/3/04

Mitchell Bean, Director – House Fiscal Agency  
124 N. Capitol Avenue, Lansing, MI 48909  
Phone: (517)373-8080, Fax: (517)373-5874  
<http://www.house.mi.gov/hfa>