



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 1260 (as reported with amendment)

Sponsor: Senator Alan Sanborn

Committee: Economic Development, Small Business and Regulatory Reform

CONTENT

The bill would amend the Code of Criminal Procedure to include in the sentencing guidelines filing a false or fraudulent financing statement. The offense would be a Class E felony against the public trust with a five-year statutory maximum. The bill is tie-barred to House Bill 5148 and would take effect on January 1, 2005.

(House Bill 5148 would amend the Uniform Commercial Code to make it a felony for a person to file a false or fraudulent financing statement with the Secretary of State, and make other changes regarding filing a financing statement.)

MCL 777.14g

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The tie-barred bills' criminal penalty would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of the proposed felony offense. Offenders would receive a sentencing guidelines minimum sentence recommendation from 0-3 months to 24-38 months. Local units of government would incur the costs of intermediate sanctions or incarceration in a local facility, both of which vary by county. The State would incur the costs of felony probation at an average annual cost of \$1,800, as well as the cost of incarceration in a State facility at an average annual cost of \$28,000. Public libraries would benefit from any additional penal fine revenue.

Date Completed: 6-8-04

Fiscal Analyst: Bethany Wicksall