



Senate Fiscal Agency
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**BILL ANALYSIS**

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House Bill 5026 (as reported by the Committee of the Whole)
Sponsor: Representative Gary Woronchak
House Committee: Criminal Justice
Senate Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to revise the prohibition against intentionally making a false crime report to a peace officer, by extending that provision to include a false report made to others authorized to receive crime reports. The bill also would expand the prohibition against making a false report or threat of an explosives offense, by including a false report or threat involving poisoning. The bill would take effect on July 1, 2004.

The Code prohibits a person from intentionally making a false report of a crime to any of the following, knowing that the report is false: a member of the Michigan State Police; a sheriff or deputy sheriff; a city or village police officer; or any other Michigan peace officer. The bill, instead, would prohibit intentionally making a false report of a crime, or intentionally causing a false crime report to be made, to any of the following, knowing that the report was false: a peace officer; a State or local police agency; a 9-1-1 operator; or any other governmental employee, contractor, or contractor's employee who was authorized to receive crime reports.

The Code prohibits a person from knowingly making a false report of a violation involving explosives and communicating the false report to any other person. The Code also prohibits threatening to commit an explosives violation and communicating the threat to any other person. The court may order a person convicted to pay to the State or local unit the costs of responding to the report. The bill would include in the offense knowingly making a false report of a violation, or making a threat of a violation, involving the placement of a harmful object or substance in food, drink, medicine, or a water supply. The court also could order a convicted person to pay the costs of responding to a threat.

MCL 750.411a

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. According to the Department of Corrections Statistical Report, 310 offenders in 2001 were convicted of intentionally falsely reporting a crime. Of those, 28 received a prison term, 42 received a jail term, and 240 received probation and/or a fine. There are no data to indicate how many additional offenders would be convicted under the proposed revisions. Local units of government incur the cost of misdemeanor probation and the cost of incarceration in a local facility, both of which vary by county. The State incurs the cost of felony probation at an average annual cost of \$1,800, and the cost of incarceration in a State facility at an average annual cost of \$28,000.

Date Completed: 4-28-04

Fiscal Analyst: Bethany Wicksall