



Senate Fiscal Agency  
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**BILL ANALYSIS**

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House Bill 5105 (as reported without amendment)  
Sponsor: Representative William Van Regenmorter  
House Committee: Criminal Justice  
Senate Committee: Judiciary

**CONTENT**

The bill would amend the Michigan Penal Code to specify that certain offenses involving larceny would include acts that occurred in an attempt to commit the larceny, during the commission of the larceny, in flight or attempted flight after the larceny was committed, or in an attempt to retain possession of the stolen property. This would apply to armed robbery, unarmed robbery, and carjacking.

The bill also would do the following:

- Include in the offense of armed robbery a representation by the offender that he or she possessed a dangerous weapon.
- Include in unarmed robbery using force or violence against any person present (rather than just against the person being robbed).
- Include in the carjacking offense using or threatening to use force or violence against, or putting in fear, any person lawfully attempting to recover the stolen vehicle (instead of just a driver, passenger, or other person in lawful possession of the vehicle).

The bill would take effect on July 1, 2004.

MCL 750.529-750.530

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on State and local government.

To the extent that it would expand the circumstances under which offenders may be charged and increase the numbers of offenders who are charged for unarmed robbery, armed robbery, and carjacking, rather than for other less serious offenses, the bill would potentially increase average sentence lengths and therefore increase corrections costs. Local units of government incur the cost of incarceration in a local facility, which varies by county. The State incurs the cost of incarceration in a State facility, at an average annual cost of \$28,000.

Date Completed: 5-17-04

Fiscal Analyst: Bethany Wicksall