

# Legislative Analysis

---



## SEXUALLY EXPLICIT MATTER

Mitchell Bean, Director  
Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

### Senate Bill 308

Sponsor: Sen. Dennis Olshove

House Committee: Judiciary

Senate Committee: Judiciary

Complete to 10-31-05

## A SUMMARY OF SENATE BILL 308 AS PASSED BY THE SENATE 10-20-05

The bill would amend Public Act 33 of 1978, which pertains to disseminating, exhibiting, or displaying sexually explicit matter to minors. Currently, the prohibition on disseminating sexually explicit matter to minors does not apply to a parent or guardian who disseminates such material to his or her child or ward. Senate Bill 308 would amend the act to apply the prohibition to a parent or guardian if the dissemination was for the sexual gratification of that parent or guardian.

"Sexually explicit matter" is defined under the act to mean sexually explicit visual material, sexually explicit verbal material, or sexually explicit performance. Disseminating sexually explicit matter to a minor is a felony punishable by imprisonment for not more than two years and/or a fine of not more than \$10,000.

MCL 722.676

## FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on the state and local units of government, depending on how it affected numbers of convictions and sanctions imposed. Costs of prison incarceration and felony probation supervision would be borne by the state. Prison incarceration currently costs about \$29,000 per prisoner per year, while felony parole and probation supervision costs about \$1,900 per supervised offender per year. Costs of jail sentences would be borne by the affected counties; costs vary from county to county. Any increases in collection of penal fine revenues could benefit local libraries, which are the constitutionally-designated recipients of that revenue.

Legislative Analyst: Susan Stutzky

Fiscal Analyst: Marilyn Peterson

---

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.