

Legislative Analysis



STUDENT SAFETY ZONE VIOLATIONS: CLARIFY PENALTIES

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House Bill 5397

Sponsor: Rep. Edward Gaffney, Jr.

Committee: Judiciary

Complete to 11-7-05

A SUMMARY OF HOUSE BILL 5397 AS INTRODUCED 11-2-25

Public Acts 121 and 127, both of which amended the Sex Offenders Registration Act, were part of the legislative package that created student safety zones and established penalties for violations. As of January 1, 2006, Public Act 127 will prohibit a registered sex offender from working or loitering within a student safety zone and Public Act 121 will prohibit a registered sex offender from residing within a student safety zone. A first offense is a misdemeanor and a second or subsequent offense is a felony.

House Bill 5397 would amend the Sex Offenders Registration Act to clarify that the felony penalty would apply to an individual who violated the prohibition on working or loitering in a student safety zone and had one or more prior convictions of doing so and to an individual who violated the prohibition on living in a student safety zone and had one or more prior convictions of doing so.

The bill would take effect January 1, 2006.

MCL 28.734 and 28.735

FISCAL IMPACT:

The bill would have an indeterminate impact on the state and local units of government, depending on how it affected numbers of convictions and sanctions imposed.

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