



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 373 (Substitute S-3)
Senate Bill 620 (Substitute S-1)
House Bill 4465 (Substitute S-1)
Sponsor: Senator Michelle A. McManus (S.B. 373)
Senator Bruce Patterson (S.B. 620)
Representative Glenn Steil (H.B. 4465)
Senate Committee: Natural Resources and Environmental Affairs
House Committee: Conservation, Forestry and Outdoor Recreation (H.B. 4465)

Date Completed: 6-21-05

CONTENT

Senate Bill 373 (S-3) and House Bill 4465 (S-1) would amend the Michigan Penal Code to prohibit computer-assisted shooting with a bow or crossbow or a firearm. Senate Bill 620 (S-1) would amend the Code to establish misdemeanor penalties for computer-assisted shooting violations.

All of the bills are tie-barred to each other.

Senate Bill 373 (S-3) and House Bill 4465 (S-1)

The bills would add Section 236a to the Penal Code to prohibit a person from doing any of the following:

- Engaging in computer-assisted shooting.
- Providing or operating, with or without remuneration, facilities for computer-assisted shooting.
- Providing or offering to provide, with or without remuneration, equipment specially adapted for computer-assisted shooting.

The prohibition regarding specially adapted equipment would not prohibit providing or offering to provide any of the following:

- General-purpose equipment, including a computer, a camera, fencing, building materials, or a bow or crossbow (under the Senate bill) or a firearm (under the House bill).
- General-purpose computer software, including an operating system and communications programs.
- General telecommunications hardware or networking services for computers, including adapters, modems, servers, routers, and other facilities associated with internet access.

The bills would define "computer-assisted shooting" as the use of a computer or any other device, equipment, or software to control remotely the aiming and discharge of a bow or crossbow (under the Senate bill) or a firearm (under the House bill) to kill an animal located in this State.

“Facilities for computer-assisted remote shooting” would include real property and improvements on the property associated with computer-assisted shooting, such as hunting blinds, offices, and rooms equipped to facilitate computer-assisted shooting.

Senate Bill 620 (S-1)

A person who violated proposed Section 236a of the Penal Code would be guilty of a misdemeanor punishable by imprisonment for up to 93 days and/or a maximum fine of \$500.

A second or subsequent violation would be a misdemeanor punishable by imprisonment for up to one year and/or a maximum fine of \$1,000. In addition, the instrumentalities of the crime would be subject to forfeiture in the manner provided in Part 47 of the Revised Judicature Act (which establishes procedures for the State or a local unit of government to seize and sell property that is the proceeds of, or was used in the commission of, a listed crime).

Proposed MCL 750.236a (S.B. 373 & H.B. 4465)
Proposed MCL 750.236b (S.B. 620)

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bills would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of violating this section. Local units would incur the additional costs of misdemeanor probation and incarceration in local facilities, both of which vary by county. Public libraries would benefit from additional penal fine revenue.

If property were seized and forfeited for repeat violations, the State and local units of government could receive proceeds from the sale of the property, after other obligations were satisfied.

Fiscal Analyst: Bethany Wicksall

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.