



Senate Fiscal Agency
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**BILL ANALYSIS**

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Senate Bill 654 (as reported without amendment)
Sponsor: Senator Laura M. Toy
Committee: Local, Urban and State Affairs

CONTENT

The bill would amend the Code of Criminal Procedure to add the felony of "purchase of public residential property by public servant" to the sentencing guidelines. The offense would be a Class G felony against public trust with a statutory maximum sentence of one year's imprisonment.

The bill is tie-barred to House Bill 4729, which would amend Public Act 317 of 1968 (which governs contracts between public servants and public entities) to allow city and village employees to purchase property owned by their employer under certain circumstances, and make the unlawful purchase of public property by a public employee a felony.

MCL 777.11a

Legislative Analyst: J.P. Finet

FISCAL IMPACT

Senate Bill 654 and House Bill 4729 (H-1) would have an indeterminate fiscal impact on State and local government. To the extent that the House bill would result in increased sales of public residential property, it could increase revenue for local governments. There are no data to indicate how many offenders would be convicted of unlawfully purchasing public property. An offender convicted of the Class G offense would receive a sentencing guidelines minimum sentence range of 0-3 months to 7-23 months. Local governments would incur the cost of incarceration in local facilities, which varies by county. The State would incur the cost of felony probation at an annual average cost of \$2,000, as well as the cost of incarceration in a State facility at an average annual cost of \$30,000. Public libraries would benefit from any additional penal fine revenue raised.

Date Completed: 10-21-05

Fiscal Analyst: Lindsay Hollander