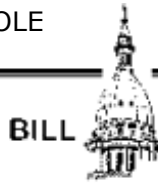




Senate Fiscal Agency  
P. O. Box 30036  
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**BILL ANALYSIS**

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Senate Bill 709 (Substitute S-3 as reported)  
Sponsor: Senator Tony Stamas  
Committee: Judiciary

**CONTENT**

The bill would amend the Michigan Penal Code to require a sentence of life imprisonment without parole for first-degree criminal sexual (CSC) if all of the following circumstances were met:

- The victim was under 13 years of age.
- The offender was at least 17 years old.
- The offender previously had been convicted of first-, second-, third-, or fourth-degree CSC or assault with attempt to commit CSC, or a substantially conforming law of the United States, another state, or a political subdivision of another state, when he or she was at least 17 and the victim was under 13.

Under the Penal Code, first-degree CSC is a felony punishable by imprisonment for life or any term of years. Under the bill, this would apply except as described above.

The bill is tie-barred to Senate Bill 718, which would amend the Corrections Code to provide that prisoners sentenced to life without parole for first-degree CSC or for certain other offenses would not be eligible for parole.

MCL 750.520b

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

Senate Bills 709 (S-3), 717 (S-1), and 718 (S-1) would have an indeterminate fiscal impact on State government. There are no data to indicate how many offenders would be convicted of criminal sexual conduct in the first degree involving the factors described in Senate Bill 709 (S-3). To the extent that fewer offenders would be paroled or serve less than a life term under the bills, the State would incur increased incarceration costs at an average annual cost of \$30,000. Depending on the age at incarceration, and assuming a life expectancy of 78 years, the total cost of incarceration for each offender sentenced to life without parole could reach \$1.8 million.

Date Completed: 3-23-06

Fiscal Analyst: Lindsay Hollander