



Senate Fiscal Agency
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**BILL ANALYSIS**

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Senate Bill 1110 (Substitute S-1 as reported)
Sponsor: Senator Valde Garcia
Committee: Judiciary

CONTENT

The bill would amend the Code of Criminal Procedure to allow a court to place a person convicted of third- or fourth-degree child abuse on probation for up to five years.

Generally, under the Code, a defendant convicted of an offense that is not a felony may be given a probationary period that does not exceed two years, and the probationary period for a defendant convicted of a felony may not exceed five years. Under the bill, a court could place a person convicted of the misdemeanor of third- or fourth-degree child abuse on probation for not more than five years.

(Under the Michigan Penal Code, a person is guilty of third-degree child abuse if he or she knowingly or intentionally causes physical harm to a child; a person is guilty of fourth-degree child abuse if his or her omission or reckless act causes physical harm to a child. Third-degree child abuse is punishable by up to two years' imprisonment, while fourth-degree child abuse is punishable by up to one year's imprisonment. First- or second-degree child abuse is a felony.)

MCL 771.2a

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on local government. To the extent that the bill could increase the average length of probation periods ordered, it would increase corrections costs. Local units of government incur the costs of misdemeanor probation, which vary by county.

Date Completed: 3-14-06

Fiscal Analyst: Lindsay Hollander