



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

**BILL ANALYSIS**

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 1146 (Substitute S-1 as reported)  
Senate Bill 1147 (as reported without amendment)  
Sponsor: Senator Alan L. Cropsey (S.B. 1146)  
Senator Gerald Van Woerkom (S.B. 1147)  
Committee: Judiciary

**CONTENT**

Senate Bill 1146 (S-1) would amend the Michigan Penal Code to prescribe criminal penalties for knowingly or willfully concealing, or harboring for the purpose of concealment, a person who was subject to an arrest warrant or a bench warrant; and to increase the maximum penalty for concealing or harboring an escapee from custody.

Under the Code, it is a misdemeanor for a person knowingly or willfully to conceal, or harbor for the purpose of concealment, a person who has escaped or is escaping from lawful custody. The penalty is up to 90 days' imprisonment, a maximum fine of \$500, or both. The bill would increase the maximum term of imprisonment to 93 days.

Also, under the bill, it would be a misdemeanor punishable by up to 93 days' imprisonment and/or a maximum fine of \$500 for a person knowingly or willfully to conceal, or harbor for the purpose of concealment, a person who was the subject of an arrest warrant for a misdemeanor; a bench warrant in a civil case; or a bench warrant in a criminal case, if the underlying crime charged were a misdemeanor or a civil infraction. It would be a felony punishable by up to four years' imprisonment and/or a maximum fine of \$5,000 for a person knowingly or willfully to conceal, or harbor for the purpose of concealment, a person who was the subject of an arrest warrant for a felony or a bench warrant in a criminal case if the underlying crime charged were a felony.

The bill would take effect 90 days after it was enacted.

Senate Bill 1147 would amend the Code of Criminal Procedure to specify that harboring a person for whom a felony warrant had been issued would be a Class F felony against the public safety, with a statutory maximum sentence of four years' imprisonment. The bill is tie-barred to Senate Bill 1146.

MCL 750.199 (S.B. 1146)  
777.16j (S.B. 1147)

Legislative Analyst: Patrick Affholter

**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 harboring a person for whom an arrest or bench warrant had been issued or who escaped from lawful custody. To the extent that increasing the maximum sentence for the misdemeanor of harboring an individual who escaped from custody would increase incarceration time, local corrections costs would increase. To the extent that the proposed misdemeanor and the proposed felony would result in or increase incarceration time for offenders convicted of harboring an individual, corrections costs would increase. For both the proposed felony and the proposed

misdemeanor, local governments would incur the costs of incarceration in local facilities, which vary by county. An offender convicted of the Class F offense under the bills would receive a sentencing guidelines minimum sentence range of 0-3 months to 17-30 months. 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. Additional penal fine revenue would benefit public libraries.

Date Completed: 3-23-06

Fiscal Analyst: Lindsay Hollander

S0506\sb1146sa

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.