



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 4413 (Substitute H-1 as reported without amendment)

Sponsor: Representative Tonya Schuitmaker

House Committee: Judiciary

Senate Committee: Judiciary

CONTENT

The bill would amend the Code of Criminal Procedure to extend from January 1, 2006, to January 1, 2009, the deadline for a defendant convicted of a felony at trial, who is serving a prison sentence for that felony, to petition the circuit court to order DNA testing of biological material identified during the investigation that led to his or her conviction, and for a new trial based on the results of that testing.

(Public Act 402 of 2000 amended the Code to establish procedures under which a person who was convicted of a felony before the Act's effective date (January 8, 2001) may petition for DNA testing and a new trial. The petition may not be filed after January 1, 2006.)

MCL 770.16

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government based on the extent to which it would increase the number of petitions for DNA tests and the number of new trials resulting from those tests. The bill would potentially increase both court costs and DNA testing costs but also potentially decrease corrections costs as a result of overturned convictions and the release of prisoners.

Date Completed: 3-23-05

Fiscal Analyst: Bethany Wicksall