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House Bill 5193 (Substitute S-1 as reported)  
House Bill 5194 (Substitute S-3 as reported)  
Sponsor: Representative Rick Baxter  
House Committee: Judiciary  
Senate Committee: Judiciary

### **CONTENT**

House Bill 5193 (S-1) would amend the Sex Offenders Registration Act (SORA) to require the Department of Corrections (DOC) to notify the appropriate sheriff's department or Michigan State Police (MSP) post of the proposed place of residence of an incarcerated individual who was granted parole or due to be released, before releasing the person.

Currently, an individual required to be registered under SORA must notify the local law enforcement agency or sheriff's department having jurisdiction where his or her new residence or domicile is located or the MSP post of his or her new residence or domicile within 10 days after being paroled or finally released from the DOC's jurisdiction. The bill would delete this requirement. Instead, if an individual who was incarcerated in a State correctional facility and who was required to be registered were granted parole or were due to be released upon completion of his or her maximum sentence, the DOC, before releasing him or her, would have to give notice of the location of the person's proposed place of residence or domicile to the appropriate sheriff's department or MSP post.

House Bill 5194 (S-3) would amend the Corrections Code to require a prisoner who was required to be registered under SORA, before being released on parole or upon completion of his or her maximum sentence, to give the DOC notice of the location of his or her proposed place of residence or domicile. The DOC then would have to forward that notice to the appropriate law enforcement agency as required under SORA (pursuant to House Bill 5193 (S-1)).

A prisoner who refused to provide the notice or who knowingly provided an incorrect notice of the location of his or her proposed place of residence or domicile would be guilty of a felony punishable by imprisonment for up to four years' imprisonment and/or a maximum fine of \$2,000.

The bill also would refer to parole revocation rather than parole rescission in several provisions pertaining to parole revocation hearings.

House Bills 5193 (S-1) and 5194 (S-3) are tie-barred and would take effect on December 1, 2006.

MCL 28.725 (H.B. 5193)  
791.17f (H.B. 5194)

Legislative Analyst: Patrick Affholter

## **FISCAL IMPACT**

The bills, along with House Bill 6135 (S-1) (which would include a violation of House Bill 5194 in the sentencing guidelines), would have an indeterminate fiscal impact on State government. There are no data to indicate how many offenders would be convicted of refusing to provide the location of their proposed residence or knowingly providing an incorrect location to the Department of Corrections. 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. Local governments would incur the costs of incarceration in local facilities, which vary 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. Additional penal fine revenue would benefit public libraries.

Date Completed: 9-6-06

Fiscal Analyst: Lindsay Hollander

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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.