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BILL ANALYSIS

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House Bill 4330 (Substitute H-1 as passed by the House)
Sponsor: Representative Paul Condino
House Committee: Judiciary
Senate Committee: Judiciary

Date Completed: 6-10-08

CONTENT

The bill would amend the Corrections Code to specify that, if a prisoner were serving a sentence for aggravated stalking (MCL 750.411i), and if a victim of that crime had registered to receive notices about that prisoner under the Crime Victim's Rights Act, the parole order for the prisoner would have to require his or her location to be monitored by a "global positioning monitoring system" during the parole period. If, at the time the prisoner was paroled, no aggravated stalking victim had registered to receive crime victim's notices, but a victim subsequently registered to receive them, the prisoner's order of parole immediately would have to be modified to require that the prisoner's location be monitored by a global positioning monitoring system during the balance of the prisoner's parole.

"Global positioning monitoring system" would mean a system that electronically determines and reports the location of an individual by means of an ankle bracelet transmitter or similar device worn by the individual, that transmits latitude and longitude data to monitoring authorities through global positioning satellite technology. The term would not include any radio frequency identification technology, global positioning technology, or similar technology that would be implanted in the parolee or otherwise would violate the corporal body of the parolee.

MCL 791.236

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State government. (In 2004, 160 offenders were in prison for aggravated stalking, with average minimum terms of 2.5 years.) Maximum sentences are five years, or 10 years if the victim was a minor. In 2007, 18 prisoners for whom aggravated stalking was their controlling sentence were discharged from prison on their maximum sentence; this includes those offenders discharged after being returned to prison for a parole violation. Prisoners released at the end of their maximum sentence would not be affected by the bill. Currently, 80 offenders are on parole for aggravated stalking, including those who had a different controlling sentence. The cost of GPS for 80 parolees to the Michigan Department of Corrections would be approximately \$380,000 annually, but would be offset by any GPS electronic monitoring participant fees collected from the parolees. Currently, the participant fees for active GPS tethers are \$13 per day, but in general, the Department collects approximately 15% of participant fees for all types of electronic monitors.

Fiscal Analyst: Lindsay Hollander

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