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Senate Bills 690 and 691 (as introduced 7-15-09)

Sponsor: Senator Cameron S. Brown

Committee: Campaign and Election Oversight

Date Completed: 12-7-09

#### CONTENT

Senate Bills 690 and 691 would amend the Michigan Election Law and the Code of Criminal Procedure, respectively, to prohibit and prescribe a criminal penalty for providing compensation for registering individuals to vote based on the number of registrants, and to include the proposed felony in the sentencing guidelines. Senate Bill 691 is tie-barred to Senate Bill 690.

## Senate Bill 690

The bill would prohibit a person from providing compensation to another person for registering individuals to vote that was based on either the total number of individuals the person registered or the total number of individuals a person registered in a particular political party. A violation would be a felony punishable by up to five years' imprisonment, a maximum fine of \$5,000, or both.

# Senate Bill 691

The bill would include the offense proposed by Senate Bill 690 in the sentencing guidelines. Providing compensation to a person for registering individuals to vote would be a Class E felony against the public trust, with a statutory maximum sentence of five years' imprisonment.

Proposed MCL 168.932c (S.B. 690) MCL 777.11d (S.B. 691)

# 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 the proposed offense. An offender convicted of the Class E offense under the bills would receive a sentencing guidelines minimum sentence range of 0-3 months to 24-38 months, with a maximum sentence of five years. In addition, individuals convicted of the proposed offense could be subject to fines not to exceed \$5,000. 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 average annual cost of \$3,000, as well as the cost of incarceration in a State facility at an average annual cost of \$34,000. Additional penal fine revenue would benefit public libraries.

Fiscal Analyst: Matthew Grabowski

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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.