



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bill 713 (as reported without amendment)  
Sponsor: Senator Roger Kahn, M.D.  
Committee: Judiciary

**CONTENT**

The bill would amend the Code of Criminal Procedure to include in the sentencing guidelines the felonies of gang recruitment and retaliation for withdrawal from a gang.

Under the bill, gang recruitment would be a Class E felony against a person, with a statutory maximum sentence of five years' imprisonment. Retaliation for withdrawal from a gang would be a Class B felony against a person, with a statutory maximum sentence of 20 years' imprisonment.

(Public Act 563 of 2008 amended the Michigan Penal Code to establish those offenses and the associated penalties.)

MCL 777.16t

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The bill 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 new offenses. An offender convicted of the Class E gang recruitment offense would receive a sentencing guidelines minimum sentence range of 0-3 months to 24-38 months, with a statutory maximum of five years. An offender convicted of the Class B retaliation for withdrawal from a gang offense would receive a sentencing guidelines minimum sentence range of 0-18 months to 117-160 months, with a statutory maximum of 20 years. 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 \$34,000. Any additional penal fine revenue collected under these classifications would benefit public libraries.

Date Completed: 10-28-09

Fiscal Analyst: Matthew Grabowski