



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 5825 (as passed by the House)
Sponsor: Representative Dian Slavens
House Committee: Health Policy

CONTENT

The bill would amend the Code of Criminal Procedure to include reuse of a single-use medical device in the sentencing guidelines. The offense would be a Class D felony against public safety punishable by up to 10 years in prison.

The bill is tie-barred to Senate Bill 528. Senate Bill 528 (H-2) would prohibit a health care provider from knowingly reusing, recycling, refurbishing for reuse, or providing for reuse a single-use medical device; and designate a violation a felony punishable by imprisonment for up to 10 years and/or a maximum fine of \$50,000, as well as administrative action by the Department of Community Health.

MCL 777.13n

Legislative Analyst: Julie Cassidy

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 offense proposed by Senate Bill 528. An offender convicted of the Class D offense under the bills would receive a sentencing guidelines minimum sentence range of 0-6 months to 43-76 months, with a statutory maximum sentence of 10 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 \$33,000. Additional penal fine revenue would benefit public libraries.

Date Completed: 3-9-10

Fiscal Analyst: Matthew Grabowski