



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 19 (as introduced 1-19-11)
Sponsor: Senator Rick Jones
Committee: Judiciary

Date Completed: 1-24-11

CONTENT

The bill would amend the Michigan Penal Code to revise the prohibition against disturbing religious meetings, and to prescribe criminal penalties for first and subsequent violations.

Under the Code, a person who willfully interrupts or disturbs any assembly of people for the worship of God, either within the place of the meeting or outside of it, is guilty of a misdemeanor.

The bill, instead, would prohibit a person from willfully interrupting or disturbing any assembly of people meeting for religious purposes within a building used for religious purposes and clearly identified as such by a posted sign or other means, whether the disturbance itself was within the building in which the meeting was held or outside of it. The bill also would prohibit a person from willfully and physically obstructing any individual's entry into the building with intent to deny that person access to the assembly, or willfully and physically obstructing any individual's egress from the building.

The Code does not specify a penalty for a violation of the current prohibition. (Under Section 504 of the Code, a misdemeanor for which no punishment is prescribed is punishable by up to 90 days' imprisonment and/or a maximum fine of \$500.)

A person who violated the bill would be guilty of a misdemeanor punishable by one or more of the following:

- Up to 93 days' imprisonment.
- A maximum fine of \$1,000.
- Up to 100 hours of community service.

If the person had previously been convicted of this offense, the misdemeanor would be punishable by one or more of the following:

- Up to 93 days' imprisonment.
- A maximum fine of \$5,000.
- Up to 200 hours of community service.

The bill would take effect 90 days after its enactment.

MCL 750.169

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State government and an indeterminate impact on local units of government. There are no data to indicate how many offenders would be convicted of the revised offense. Local governments would incur the costs of incarceration in local facilities, which vary by county. 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.