

Legislative Analysis



MODIFY CRIME CLASS CATEGORY FOR CERTAIN FELONIES

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House Bill 4525

Sponsor: Rep. Joseph Graves

Committee: Criminal Justice

Complete to 6-4-13

A SUMMARY OF HOUSE BILL 4525 AS INTRODUCED 4-10-13

House Bill 4525 would amend the sentencing guidelines within the Code of Criminal Procedure (MCL 777.16c and 777.17d) to change the crime classes for the following felony offenses:

- First degree arson would be changed from a Class B felony to a Class A.
- Second degree arson would be changed from a Class D felony to a Class B.
- Third degree arson would be changed from a Class E felony to a Class D.
- Organized retail crime act violation would be changed from a Class G to a Class E felony.

Michigan has an indeterminate sentencing structure for felony offenses, meaning that the upper limit of punishment for a conviction of a particular felony is set by statute. The sentencing guidelines are used to determine an appropriate minimum sentence and the sentence is then expressed as a range, for example, two to four years. The sentencing guidelines assign each felony offense to a crime class.

There are eight crime classes, with Class A representing the more serious crimes and Class H usually resulting in a jail term or other intermediate sanction. The crime class for an offense determines which sentence grid applies when scoring the offense (certain variables, or elements, of an offense are given points, and by placing the total points scored in the appropriate sentence grid, a range for an appropriate term of imprisonment can be determined). Therefore, using a Class A grid to score an offense will generally result in a longer minimum term of imprisonment.

FISCAL IMPACT:

A fiscal analysis is in process.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.