



Senate Fiscal Agency
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Senate Bill 729 (as introduced 12-12-13)
Sponsor: Senator Goeff Hansen
Committee: Judiciary

Date Completed: 1-28-14

CONTENT

The bill would amend the Code of Criminal Procedure to do the following:

- **Include retail fraud and criminal contempt for failure to appear in court in the list of offenses for which the sentencing court may order the defendant to reimburse the State or a local unit of government for related expenses.**
- **Add transportation costs to the list of expenses for which reimbursement may be ordered.**

Under the Code, as part of the sentence for a conviction of certain offenses, and in addition to any other penalty authorized by law, the court may order the offender to reimburse the State or a local unit for expenses incurred in relation to that incident, including expenses for an emergency response and for prosecuting the person. The bill would include the following in the list of violations for which a court may order reimbursement:

- First-, second-, or third-degree retail fraud or an attempt to commit that offense.
- A finding of guilt for criminal contempt for failing to appear in court as ordered by the court.

The Code specifies expenses for which reimbursement may be ordered. These include the salaries or wages of law enforcement personnel for time spent responding to the incident, arresting the person and processing him or her after arrest, preparing reports on the incident, investigating the incident, and collecting and analyzing evidence. Under the bill, reimbursements also could be ordered for the transportation costs of law enforcement personnel.

MCL 769.1f

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill includes three areas in which there could be a positive fiscal impact on the State and local government.

By adding retail fraud to the offenses for which reimbursement may be ordered, the bill could increase the amount of offense-related reimbursements to the State and local government.

Additionally, State and local government revenue could be increased by the addition of criminal contempt for failing to appear in court to the violations authorized for reimbursement collection.

Third, by including transportation expenses as a type of qualified cost, the bill could result in added reimbursement to the State and local government from individuals who commit or attempt to commit offenses for which reimbursement may be ordered.

Fiscal Analyst: John Maxwell