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BILL



ANALYSIS

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House Bill 4286 (Substitute S-2 as reported)
Sponsor: Representative Harvey Santana
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform

CONTENT

The bill would amend the Code of Criminal Procedure to include in the sentencing guidelines a proposed felony for knowingly allowing a professional to participate as a contestant in an amateur mixed martial arts contest with an amateur. The offense would be a Class E felony against public safety with a maximum term of incarceration of three years.

The bill is tie-barred to Senate Bill 152, and would take effect 90 days after it was enacted.

(Senate Bill 152 would amend the Michigan Unarmed Combat Regulatory Act to regulate amateur mixed martial arts contests.)

MCL 777.13p

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill to which House Bill 4286 (S-2) is tie-barred, Senate Bill 152, would create a new felony for knowingly allowing a professional to participate in a match with an amateur in a mixed martial arts contest. An increase in arrests could place incremental resource demands on local court systems, law enforcement, and prisons. For any new felony convictions that resulted in the offenders being sent to prison, in the short term, the marginal cost to State government would be approximately \$4,100 per additional prisoner per year. In the long term, the marginal cost to State government would be approximately \$31,100 per additional prisoner per year. Any associated increase in fine revenue would be dedicated to public libraries.

Including the proposed felony in the sentencing guidelines would have an indeterminate fiscal impact on the State, in light of the Michigan Supreme Court's July 2015 opinion in *People v. Lockridge* (in which the Court struck down portions of the sentencing guidelines law). According to one interpretation of that decision, the sentencing guidelines are advisory for all cases even after the scoring of the offense is completed. This means that the addition to the guidelines under the bill would not be compulsory for the sentencing judge. As penalties for felony convictions vary, the fiscal impact of any given felony conviction would depend on judicial decisions.

Date Completed: 10-15-15

Fiscal Analyst: Ryan Bergan