



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 4711 (as reported without amendment)
Sponsor: Representative Michael Webber
House Committee: Criminal Justice
Senate Committee: Judiciary

CONTENT

The bill would amend the Code of Criminal Procedure to delete a provision requiring the detention of a prisoner until his or her fines and costs are paid. Currently, if a court imposes a fine, costs, and imprisonment in a State prison, the offender must be detained in the prison until the fine and costs are paid, but not longer than the additional time expressed in the sentence for the nonpayment of the fine and costs. The bill would delete that provision.

The bill also would repeal laws dealing with the sentencing of a person to solitary confinement and/or hard labor; assembling or rebuilding a battery from used battery parts, for sale, without labeling it as "rebuilt"; and keeping a person sentenced to hard labor constantly employed.

Under Section 2 of Chapter IX of the Code, a court that sentences a person to State prison or a county jail may order the person to be kept in solitary confinement and/or at hard labor. The bill would repeal Section 2.

Public Act 217 of 1933 makes it a misdemeanor to assemble or rebuild an electric storage battery out of second-hand or used battery parts, and to sell it or offer it for sale without the word "rebuilt" branded into the container. The bill would repeal Public Act 217.

Section 9 of Chapter 171 of the Revised Statutes of 1846 requires jail keepers to keep prisoners sentenced to hard labor constantly employed during every day, except Sunday, and annually account to the county board of commissioners for the proceeds of prisoners' labor. The bill would repeal Section 9.

The bill would take effect 90 days after its enactment.

MCL 769.5 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

Under the bill, local government would save court costs and costs of incarceration due to the repeal of misdemeanors, to the extent they are currently enforced. Public libraries would no longer receive fine revenue, if any is collected for these offenses. The bill would have no fiscal impact on the State.

Date Completed: 9-24-15

Fiscal Analyst: John Maxwell