

REIMBURSEMENT FOR COSTS OF PROSECUTION

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Senate Bill 44 as passed the Senate without amendment

Sponsor: Sen. Goeff Hansen

House Committee: Law and Justice

Senate Committee: Judiciary

Complete to 10-30-17

Analysis available at

<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 44 would amend the Code of Criminal Procedure (MCL 769.1f) to add both retail fraud and failure to make a court-ordered court appearance to the list of crimes for which a court may order reimbursement of certain expenses incurred by the state and local units of government.

The Code of Criminal Procedure currently allows a court to order a person convicted of certain crimes to reimburse the state or a local unit of government for expenses incurred in relation to the incident underlying the conviction. Costs for which a court can order reimbursement include expenses for emergency response and prosecution, as well as such things as law enforcement salaries or wages and the costs of investigating the incident, collecting and analyzing evidence, and preparing reports.

SB 44 would add the following to the list of convictions or findings of guilt for which reimbursement of expenses can be ordered by a court under the Code:

- A violation or attempted violation of first-, second-, or third-degree retail fraud (MCL 750.356c & 750.356d).
- Criminal contempt for failing to appear in court as ordered by the court.

SB 44 would also add law enforcement transportation costs to the specified expenses for which a court could order reimbursement under the Code.

The bill would take effect 90 days after enactment.

FISCAL IMPACT:

Senate Bill 44 could reduce costs to the state or local units of government by expanding the types of crimes for which expenses are reimbursable under the Code and also by adding law enforcement transportation costs to the types of expenses for which reimbursement can be ordered. To the extent that reimbursement is ordered and revenue is collected, enforcement costs could be offset.

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