



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 44 (as reported without amendment)
Sponsor: Senator Goeff Hansen
Committee: Judiciary

CONTENT

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

- Include retail fraud and criminal contempt for failing to appear in court among the violations for which the sentencing court may order a convicted person to reimburse the State or a local unit of government for expenses related to the incident.
- Include transportation costs among the expenses for which reimbursement may be ordered.

The Code allows the court, as part of the sentence and in addition to any other penalty, to order the person convicted of a specified crime 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 crimes for which a court may order reimbursement of expenses:

- A violation or attempted violation of first-, second-, or third-degree retail fraud.
- A finding of guilt for criminal contempt for failing to appear in court as ordered by the court.

The Code specifies the expenses for which reimbursement may be ordered. These include salaries and wages of law enforcement personnel for time spent responding to the incident from which the conviction arose, arresting the person convicted, processing the person after arrest, preparing reports on the incident, investigating the incident, and collecting and analyzing evidence. The bill would include transportation costs among those allowable costs.

MCL 769.1f

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill could have a minor positive fiscal impact on State and local government. To the extent that courts ordered reimbursement for costs associated with responding to and prosecuting the offenses outlined in the bill, the State and local government could collect revenue to offset enforcement costs, including transportation.

Date Completed: 2-1-17

Fiscal Analyst: Ryan Bergan