



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 330 (as introduced 4-26-17)
Sponsor: Senator Margaret E. O'Brien
Committee: Judiciary

Date Completed: 9-21-17

CONTENT

The bill would amend the Michigan Vehicle Code to extend the penalty for operating a vehicle with a suspended or revoked driver license causing death, to an individual whose license was suspended or revoked by another state.

The Code prohibits an individual whose operator's or chauffeur's license or registration certificate has been suspended or revoked, whose application for license has been denied, or who has never applied for a license, from operating a motor vehicle upon a State highway or other place open to the general public or generally accessible to motor vehicles. An individual who violates this prohibition and who, by operation of a motor vehicle, causes the death of another person is guilty of a felony punishable by up to 15 years' imprisonment or a fine of at least \$2,500 up to a maximum of \$10,000, or both.

Under the bill, this penalty also would apply to an individual whose operator's or chauffeur's license or registration certificate had been suspended or revoked by another state who operated a motor vehicle during the period of suspension or revocation, and who by the operation of the vehicle caused the death of another individual.

The bill would take effect 90 days after its enactment.

MCL 257.904

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill could have a negative fiscal impact on the State and local government. More felony convictions could increase resource demands on court systems, community supervision, jails, and correctional facilities. The average cost to State government for felony probation supervision is approximately \$3,024 per probationer per year. For any increase in prison intakes, in the short term, the marginal cost to State government would be approximately \$3,764 per prisoner per year. Any associated increase in fine revenue would increase funding to public libraries.

In addition, if an individual is convicted of the offense described above, the vehicle used in the commission of the crime may be seized and sold. After the proceeds of the sale are used to make certain payments, the balance must be distributed to the governmental units substantially involved in effecting the forfeiture, with 75% of the money used to enhance enforcement of the criminal laws and 25% used to implement the William Van Regenmorter Crime Victim's Rights Act.

Fiscal Analyst: Ryan Bergan

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.