



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL



ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 341 (as reported without amendment)
Sponsor: Senator John Proos
Committee: Judiciary

Date Completed: 7-10-17

RATIONALE

The United States Department of Veterans Affairs (VA) furnishes a variety of government-issued headstones or markers for the grave of a deceased eligible veteran buried in any cemetery worldwide. In addition, the VA provides medallions that can be attached to a privately purchased marker to denote the deceased individual's status as a veteran. These markers typically are made of bronze, brass, or marble--materials that are of value to scrap dealers and collectors and, apparently, attractive targets for theft. To deter this theft, it has been suggested that the receipt of stolen veteran memorial tombstones and other cemetery markers be addressed specifically in the Michigan Penal Code.

CONTENT

The bill would amend the Michigan Penal Code to include veteran memorial tombstones or other veteran cemetery markers within a prohibition against buying, receiving, or possessing stolen or embezzled property.

The Penal Code prohibits a person from buying, receiving, possessing, concealing, or aiding in the concealment of stolen, embezzled, or converted money, goods, or property if the person knows or has reason to know or believe that it is stolen, embezzled, or converted. An offender is subject to a range of misdemeanor and felony penalties, depending on the value of the property and his or her prior convictions for this offense.

Under the bill, this prohibition would apply to veteran memorial tombstones and veteran cemetery markers, as well as any other property.

The bill would take effect 90 days after its enactment.

MCL 750.535

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Special markers are placed on the graves of veterans to honor their service in the Armed Forces. These markers are made of metal, typically marble, bronze or brass, which has led to a number thefts by those looking to sell them to collectors or for scrap. In 2016, for example, approximately 300 medallions were stolen from a cemetery in LaPorte, Indiana.¹ The bill would deter the theft of

¹ Stan Maddux, "Veteran grave sites robbed in LaPorte", *South Bend Tribune*, 8-23-2016.

these markers and ensure that current law applies broadly to those who might profit from this theft, including antique or scrap dealers and collectors.

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill could have a negative fiscal impact on State and local government. More misdemeanor and felony arrests and convictions could increase resource demands on law enforcement, 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.

Fiscal Analyst: Ryan Bergan

SAS\A1718\sb341a

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.