



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 4303 (Substitute H-3 as reported without amendment)

Sponsor: Representative Andy Schor

House Committee: Law and Justice

Senate Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to include a defense attorney, court reporter, and court recorder among the public officers and employees against whom assault triggers criminal penalties, and increase the term of imprisonment for a violation causing serious impairment of a body function.

Section 479 of the Penal Code prohibits a person from knowingly and willfully assaulting, battering, wounding, obstructing, or endangering a medical examiner, township treasurer, judge, magistrate, probation officer, parole officer, prosecutor, city attorney, court employee, court officer, or other officer or duly authorized person serving or attempting to serve or execute any process, rule, or order made or issued by lawful authority, or otherwise acting in the performance of his or her duties. Section 479 also prohibits a person from knowingly and willfully assaulting, battering, wounding, obstructing, or endangering an officer enforcing an ordinance, law, rule, order, or resolution of a municipality.

A person who violates Section 479 and causes serious impairment of a body function of an individual described above is guilty of a felony punishable by up to 10 years' imprisonment, or a maximum fine of \$10,000, or both. The bill would increase the maximum term from 10 years to 15 years.

MCL 750.479

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill could have a negative fiscal impact on State and local government. More felony arrests and convictions, along with increased sentence lengths for certain violations, 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.

Date Completed: 6-15-17

Fiscal Analyst: Ryan Bergan