



**Senate Fiscal Agency**  
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BILL



ANALYSIS

**Telephone: (517) 373-5383**  
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House Bill 4556 (as reported without amendment)  
House Bill 4557 (Substitute H-1 as reported without amendment)  
Sponsor: Representative Joseph N. Bellino, Jr.  
House Committee: Regulatory Reform  
Senate Committee: Regulatory Reform

**CONTENT**

House Bill 4557 (H-1) would amend the Michigan Liquor Control Code to prescribe criminal and civil penalties for a person, whether or not a licensee, who sold, delivered, or imported beer or wine without authority under the Code, as shown in the following table.

Quantity of Beer or Wine in milliliters	Type of Offense	Maximum Imprisonment	Maximum Fine
At least 225,000	Felony	4 years	\$5,000
At least 45,000 but less than 225,000	Misdemeanor	93 days	\$2,500
Less than 45,000	State civil infraction	NA	\$500

House Bill 4556 would amend the Code of Criminal Procedure to add the felony proposed by House Bill 4557 (H-1) to the sentencing guidelines as a Class F offense against the public order, with a maximum term of four years.

MCL 777.14f (H.B. 4556)  
436.1909 (H.B. 4557)

Legislative Analyst: Drew Krogulecki

**FISCAL IMPACT**

House Bill 4557 (H-1) could have a negative fiscal impact on State and local government. More misdemeanor and felony arrests and convictions, and civil infraction adjudications and dispositions, 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 criminal and State civil infraction fine revenue would increase funding to public libraries.

House Bill 4556 would have no fiscal impact on local government and an indeterminate fiscal impact on the State, in light of the Michigan Supreme Court's July 2015 opinion in *People v. Lockridge* (in which the Court struck down portions of the sentencing guidelines law). According to one interpretation of that decision, the sentencing guidelines are advisory for all cases. This means that the addition to the guidelines under the bill would not be compulsory for the sentencing judge. As penalties for felony convictions vary, the fiscal impact of any given felony conviction depends on judicial decisions.

Date Completed: 6-9-17

Fiscal Analyst: Ryan Bergan

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Bill Analysis @ [www.senate.michigan.gov/sfa](http://www.senate.michigan.gov/sfa)

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.