

FALSE REPRESENTATION AS CENSUS TAKER

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House Bill 5411 as introduced
Sponsor: Rep. Alex Garza
Committee: Judiciary
Complete to 3-12-20

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 5411 would amend Chapter XXXV (False Personation) of the Michigan Penal Code to prohibit a person from impersonating a census taker or falsely assuming the activities of a census taker with the intent to interfere with the operation of the census, to obtain information, or to obtain consent to an otherwise unlawful search or seizure.

Specifically under the bill, a person who does either of the following would be guilty of a misdemeanor punishable by imprisonment for up to one year, a fine of up to \$1,000, or both:

- Falsely represents that he or she is a census taker.
- Falsely assumes some or all of the activities of a census taker.

The prohibition and penalties would apply only if the person acted with the intent to interfere with the operation of the census, to obtain information, or to obtain consent to an otherwise unlawful search or seizure.

The bill would take effect 90 days after its enactment.

Proposed MCL 750.217i

FISCAL IMPACT:

House Bill 5411 would have an indeterminate fiscal impact on the state and on local units of government. The number of convictions that would result under provisions of the bill is not known. New misdemeanor convictions would increase costs related to county jails and/or local misdemeanor probation supervision. Costs of local incarceration in county jails and local misdemeanor probation supervision, and how those costs are financed, vary by jurisdiction. The fiscal impact on local court systems would depend on how the bill affected caseloads and related administrative costs. Any increase in penal fine revenue would increase funding for public and county law libraries, which are the constitutionally designated recipients of those revenues.

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