



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

## BILL ANALYSIS



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

House Bill 4173 (Substitute S-7 as reported)  
Sponsor: Representative Abraham Aiyash  
House Committee: Criminal Justice  
Senate Committee: Civil Rights, Judiciary, and Public Safety

**CONTENT**

The bill would amend the Code of Criminal Procedure to do the following:

- Create the Michigan Sentencing Commission in the Legislative Council.
- Prescribe the Commission's membership, the method or their appointment, who would appoint them, the deadline for appointments, and the terms of their memberships.
- Require the Governor to appoint the Commission's chairperson with the advice and consent of the Senate.
- Prohibit all Commission members but the chairperson from receiving a salary.
- Allow the Commission to establish subcommittees that could consist of individuals who were not Commission members.

The bill is tie-barred to Senate Bill 377, which would amend the Code of Criminal Procedure to prescribe the responsibilities of the Commission.

Proposed MCL 769.34a

Legislative Analyst: Eleni Lionas

**BRIEF RATIONALE**

According to testimony, Michigan's current sentencing guidelines were established in the late 1990's. In the early 2000's, a commission similar to the one proposed by the bill evaluated the guidelines' effectiveness. That commission was disbanded in 2004. Some people have concern that the prevailing attitudes toward crime and rehabilitation can influence sentencing guidelines' severity at the time of their establishment, and so it has been suggested that the Commission be created to regularly evaluate sentencing guidelines in the State.

**FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on the Legislative Council. The bill would create the Commission within the Council, and the Council would have to provide office space, staffing, and necessary equipment. Commission members would not receive a salary but would be eligible for reimbursement for necessary expenses incurred in the performance of duties. The Governor would appoint a director as a non-voting member of the Commission.

The bill does not specify how the Commission would determine a salary for the director or if a salary would be paid. The Council could hire any additional staff it deemed necessary. Based on Fiscal Year 2024-25 data, the current estimated average annual cost for 1.0 full-time equivalent for a classified State employee is \$138,900 for salary and benefits. Finally, the cost for reimbursing Commission members for necessary expenses incurred in the performance of their duties (based on other similar commissions and committees) would likely be less than \$50,000 annually.

Date Completed: 12-7-24

Fiscal Analyst: Joe Carrasco, Jr.

floor/hb4173

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.