

Legislative Analysis



MANDATORY MINIMUM SENTENCES FOR FLEEING AND ELUDING FELONIES

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4690 as introduced
Sponsor: Rep. Rylee Linting

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

House Bill 4691 as introduced
Sponsor: Rep. Mike Mueller

Committee: Judiciary
Complete to 8-26-25

SUMMARY:

House Bills 4690 and 4691 would amend the Michigan Penal Code and the Michigan Vehicle Code, respectively, to provide for mandatory minimum sentences for certain felonies collectively known as *fleeing and eluding*. Under current law, a driver or operator of a motor vehicle or vessel (i.e., watercraft) who is given a visual or audible signal (by hand, voice, emergency light, or siren) by a uniformed police or conservation officer, acting in the lawful performance of the officer's duty, directing the driver or operator to bring their motor vehicle or vessel to a stop is prohibited from willfully failing to obey that direction by doing any of the following:

- Increasing the speed of the motor vehicle or vessel.
- Extinguishing the lights of the motor vehicle or vessel.
- Otherwise attempting to flee or elude the officer.

Table 1 shows the maximum penalties for fleeing and eluding felonies in current law (all of which are punishable by imprisonment, a fine, or both), and the rightmost column describes the mandatory *minimum* sentences for each offense degree that are proposed in the bills.

**Table 1. Maximum Penalties under Current Law and Proposed Mandatory
Minimum Sentences under House Bills 4690 and 4691**

	Current Law		House Bills 4690 and 4691
	Michigan Penal Code Maximum Penalties	Michigan Vehicle Code Maximum Penalties	<i>Proposed Mandatory Minimum Sentences</i>
First degree	15 years \$15,000	15 years \$10,000	5 years
Second degree	10 years \$10,000	10 years \$5,000	2 years
Third degree	5 years \$5,000	5 years \$1,000	1 year
Fourth degree	2 years \$2,000	2 years \$500	182 days

Neither bill can take effect unless both bills are enacted. Each bill would take effect 90 days after being enacted.

MCL 750.479a (House Bill 4690)

MCL 257.602a (House Bill 4691)

FISCAL IMPACT:

House Bills 4690 and 4691 could have a fiscal impact on the state. Any fiscal impact would depend on how individuals are currently sentenced for the same offenses that, under the bills, could get them extra time with the establishment of mandatory minimums. Increased costs to the state would result from individuals who are sentenced to serving additional time in state prisons. In fiscal year 2024, the average cost of prison incarceration in a state facility was roughly \$46,200 per prisoner, a figure that includes various fixed administrative and operational costs. Those costs are financed with state general fund/general purpose revenue.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.