

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909 •

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Senate Bill 96

Sponsor: Senator Rudy J. Nichols

Committee: Judiciary

Date Completed: 2-16-89

SUMMARY OF SENATE BILL 96 as introduced 2-2-89:

The bill would amend the Michigan Penal Code to provide that a person who caused the death of another by the operation of a vehicle while under the influence of liquor, a controlled substance, or a combination of the two, or while he or she had a blood alcohol content of .10% or more, would be guilty of a felony. The felony would be punishable by up to 15 years' imprisonment, a maximum fine of \$5,000, or both.

Currently, the Code provides that a person who causes the death of another by the operation of a vehicle "at an immoderate rate of speed or in a careless, reckless, or negligent manner, but not wilfully or wantonly" is guilty of a misdemeanor, punishable by up to two years' imprisonment, a maximum fine of \$2,000, or both. That provision, which does not differentiate between sober and intoxicated drivers, would be retained.

MCL 750.324

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate impact on State and local units of government. Costs to the State would depend on the following factors:

1. The number of individuals convicted under this bill.
2. The sentence imposed by the judge.
3. The effective date of the bill.

Statistics are not available on the percentage of people convicted of vehicular homicide who were under the influence.

Fiscal Analyst: F. Sanchez

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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.