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BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

• (517) 373-5383

Senate Bill 683

Sponsor: Senator Christopher D. Dingell

Committee: Criminal Justice and Urban Affairs

Date Completed: 8-22-90

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SUMMARY OF SENATE BILL 683 as introduced 11-7-89:

The bill would amend the Code of Criminal Procedure to specify that, in all cases in which a court may impose a maximum sentence of life imprisonment or any term of years, the duration of a sentence for "any term of years" could exceed the duration of a sentence of imprisonment for life. In addition, the bill would amend provisions of the Code that address the sentencing of a previously convicted felon for a subsequent felony to allow a sentence of "any term of years" if the subsequent felony is punishable upon a first conviction by imprisonment for life. (Currently, persons who commit subsequent felonies that are punishable by life imprisonment may be sentenced to "imprisonment for life or for a lesser term".)

MCL 769.9 et al.

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would result in an indeterminate expenditure increase for the State in the future, but would have no fiscal impact in Fiscal Year 1990-91. The indeterminate increase would be the result of the following primary factors:

- The number of individuals who would be affected by the bill.
- How often sentencing judges would use the provision: "Any term of years may exceed the duration of a sentence of imprisonment for life".
- The length of sentence imposed that exceeded the current average sentence actually served by offenders sentenced to life imprisonment.

Finally, with regard to cost analysis, individuals serving a sentence greater than the average life sentence would cost the State \$25,000 per annum (plus inflation adjustment).

Fiscal Analyst: B. Burghardt

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S.B. 683 (8-22-90)