

SFA

BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

• (517) 373-5383

Senate Bill 759

Sponsor: Senator Doug Carl

Committee: Criminal Justice and Urban Affairs

Date Completed: 8-22-90

RECEIVED

OCT 24 1990

Mich. State Law Library

SUMMARY OF SENATE BILL 759 as introduced 1-25-90:

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

S8990\S759SA

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.

SFA BILL ANALYSIS

Senate Bill S.B. 760

Analysis Summary

See S.B. 161