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FLEEING AND ELUDING FELONY

House Bills 4240 and 4241
Sponsor: Rep. Alvin Kukuk
Committee: Judiciary

Complete to 3-3-97

A SUMMARY OF HOUSE BILLS 4240 and 4241 AS INTRODUCED 2-6-97

House Bill 4240 would amend the Michigan Penal Code (MCL 750.479a) and House Bill 4241 would amend the Michigan Vehicle Code (MCL 257.303 et al.) to make fleeing and eluding a felony if the driver while attempting to flee caused the death of a person. The felony would be punishable by four to fifteen years imprisonment and a fine of up to \$15,000, together with the costs of prosecution. In addition, the court would be required to order the secretary of state to revoke the person's driver's license and that revocation would have to begin after the person had served his or her term of imprisonment. The bill would allow the court, for substantial and compelling reasons, to depart from the minimum sentence; however, the court would have to state the reasons on the record, and it would be required to impose community service as part of the sentence.

The bills are tie-barred to each other.

[Note: The bills would conflict with the provisions of Public Acts 586 and 587 of 1996 which will take effect on June 1, 1997. Those acts will establish different levels of fleeing and eluding and provide penalties and increasingly severe sanctions for such violations. (For further information see the House Legislative Analysis Section's analysis of enrolled House Bill 4534 and Senate Bill 378.)]

House Bills 4240 and 4241 (3-3-97)

Analyst: W. Flory

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