
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 50 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator Bill Bullard, Jr.
Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to include carjacking or any felony in the Code's felony murder provision. Under this provision, murder committed in the perpetration or attempt of certain listed felonies constitutes first-degree murder, which requires a sentence of life in prison without possibility of parole. The offenses currently listed include: arson; first-, second-, and third-degree criminal sexual conduct; first-degree child abuse; a major controlled substance offense; robbery; breaking and entering of a dwelling; first- and second-degree home invasion; larceny of any kind; extortion; and kidnapping. The bill would add carjacking to that list and specifies that murder committed in the perpetration or attempt of any felony would constitute first-degree murder.

The bill would take effect on June 1, 1997.

MCL 750.316

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill could result in increased costs to the State. To the extent that offenders who commit a murder during an act of any felony, are currently convicted of a felony other than first-degree murder, and receive a prison sentence other than life in prison, and who under the bill would receive a life sentence as required by the first-degree murder statute, costs of incarceration would increase. In 1995, there were 119 convictions for first-degree murder, as well as 202 for second-degree murder with an average minimum sentence of 20 years. Of the 785 murder offenses reported to law enforcement agencies in Michigan during 1995, 75 were reportedly committed during the commission of robbery, six during the commission of burglary, five during the commission of arson, and four during the commission of rape. In addition, 38 murders were reportedly committed during other felonies, and five were committed during the suspected commission of a felony. There is no information available, however, on how many of these individuals were convicted of first-degree murder, and how many were convicted of some other type of homicide (e.g., second-degree murder or negligent homicide).

Date Completed: 2-18-97

Fiscal Analyst: M. Hansen

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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.