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SFA**BILL ANALYSIS**

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Senate Bill 50 (as introduced 1-28-97)
Sponsor: Senator Bill Bullard, Jr.
Committee: Judiciary

Date Completed: 2-5-97

CONTENT

The bill would amend the Michigan Penal Code to include carjacking in the Code's felony murder provision. Under this provision, murder committed in the perpetration or attempt of certain felonies constitutes first-degree murder, which requires a sentence of life in prison without possibility of parole. The offenses currently 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.

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 carjacking, 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 45 prison commitments for carjacking with an average minimum sentence of 4.7 years. In addition, there were 119 convictions for first-degree murder, as well as 202 for second-degree murder with an average minimum sentence of 20 years. There are no readily available data, however, that indicate the number of individuals who committed a murder during the commission of carjacking. As a comparison, 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. None were reported for being committed during the commission of motor vehicle theft.

Fiscal Analyst: M. Hansen

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