

Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 1212 (Substitute S-1 as reported)
Sponsor: Senator William Van Regenmorter
Committee: Judiciary

CONTENT

The bill would amend the Michigan Vehicle Code to provide that separate charges could be filed, and consecutive sentences could be ordered, for each death that resulted from certain traffic crimes. The bill would take effect 90 days after its enactment.

Specifically, a person could be charged with and convicted of any of the following offenses for each death that occurred during the commission of the offense:

- First-degree fleeing and eluding.
- Leaving the scene of an accident when the driver knows or has reason to believe that he or she has been involved in an accident resulting in serious or aggravated injury or death.
- Causing a death by operating a vehicle while under the influence of liquor or a controlled substance or while visibly impaired due to the consumption of liquor or a controlled substance.
- Causing a death by operating a vehicle without a driver's license or with a suspended or revoked license.

In addition, the court could order that the terms of imprisonment imposed for each death be served consecutively to each other.

Proposed MCL 257.911

Legislative Analyst: P. Affholter

FISCAL IMPACT

Senate Bill 1212 (S-1) would result in indeterminate, but potentially increased costs for State government.

There are no data available to indicate how many people could be subject to consecutive sentences arising out of the same violation for the enumerated crimes and resulting in one or more deaths. To the extent that an offender would serve a longer period of time in a State facility by serving terms of incarceration consecutively instead of concurrently, costs of incarceration for that offender would increase. For example, assuming an offender is paroled upon the completion of his or her minimum sentence, if the offender received a minimum sentence of eight years for one crime and five years for another served concurrently, with an average annual cost of incarceration of \$22,000 per year, the total cost of incarceration would be \$176,000. If the minimum sentences for the crimes were served consecutively for a total of 13 years' incarceration, the total cost of incarceration would be \$286,000.

Date Completed: 5-11-00

Fiscal Analyst: K. Firestone

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Analysis available @ <http://www.michiganlegislature.org>

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