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# HOUSE FISCAL AGENCY

124 N. Capitol Avenue  
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HB4325      SUBSTITUTE

**Sponsor:** Rep. Clark Bisbee

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**Committee:** CRIMINAL JUSTICE

**Analyst(s):** Peterson, Marilyn  
Jen, Kyle

**Completed:** 11/27/01

## State Fiscal Impact

**Cost:** Indeterminate/Increase  
**Revenues:** None

## Local Fiscal Impact

**Cost:** Indeterminate/Increase  
**Revenues:** Indeterminate/Increase

The Michigan Penal Code provides for enhanced penalties for repeat prostitution offenders. A first conviction is a misdemeanor punishable by up to 90 days in jail and/or a fine of up to \$100; a second conviction is a misdemeanor punishable by up to one year and/or \$500; a third or subsequent conviction is a felony punishable by imprisonment for up to two years. The bill would define "prior conviction" as a conviction for violation or attempted violation of any of the applicable sections of the penal code, or of a substantially corresponding law of another state or of a political subdivision of this state or another state.

The bill also would specify procedure applicable to cases where the prosecutor intended to seek enhanced penalties based on the existence of prior convictions, and it would make the first-offense misdemeanor a 93-day, rather than a 90-day misdemeanor, thereby triggering fingerprinting and recordkeeping requirements.

Depending on how the bill affected charging practices and numbers of convictions, it could increase state and local correctional costs, and increase the amount of penal fine revenue going to local libraries. The bill's record keeping requirements could also increase costs for the Department of State Police.