

DOUBLE THE CURRENT FINE FOR MALICIOUS PHONE CALLS



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FISCAL ANALYSIS

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HOUSE BILL 4080 AS INTRODUCED

Sponsor: Rep. Mary Ann Middaugh

House Committee: Energy and Technology

FLOOR ANALYSIS - 2/26/02

Analyst(s): Marilyn Peterson

SUMMARY

Under the Michigan Penal Code, certain offenses involving telephone intimidation or harassment (including solicitation calls made between 9 p.m. and 9 a.m.) are misdemeanors punishable by up to six months in jail, a fine of up to \$500, or both. The bill would increase the maximum allowable fine to \$1,000; this provision could increase the amount of penal fine revenues received by local libraries under the state constitution. The bill also arguably would broaden the application of two of the specified offenses:

- * Interference with communications service would be deleted as an element of an offense that addresses the deliberate refusal to disengage a telephone connection; and,

- * An offense involving use of vulgar or lewd language in a telephone conversation would be expanded to include telephone messages.

In addition, the act, which currently applies to any service provided by a communications "common carrier," would instead apply to any service provided by a communications "provider."

To the extent that these changes broadened the application of the statute and increased the numbers of convictions under it, they could increase local correctional costs and/or local penal fine revenues.