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SFA

BILL ANALYSIS

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Senate Bill 645 (Substitute S-2)
Senate Bill 646 (as introduced 9-20-01)
Sponsor: Senator Valde Garcia
Committee: Education

Date Completed: 11-28-01

CONTENT

Senate Bill 645 (S-2) would amend the Michigan Vehicle Code to require the Secretary of State to delay or suspend the driver's licenses of minors who made false reports of a bomb threat to a school.

Senate Bill 646 would amend the Revised School Code to require school boards that suspended or expelled a pupil for making a bomb threat or similar threat directed at school property or a school-related event, immediately to notify the Secretary of State in writing of the date of suspension or expulsion. The bill is tie-barred to Senate 645.

Senate Bill 645 (S-2), which would take effect on April 1, 2002, is described below.

The bill would require that a person younger than 14, convicted of or having received a juvenile disposition for knowingly making a false report of a bomb threat to a school, be prohibited from beginning graduated driver's license training until he or she was 16 years old and from receiving a graduated driver's license until he or she was 17 years old. (A "juvenile disposition" is the equivalent of a conviction.)

A person who was at least 14 but younger than 21 found guilty of or responsible for knowingly making a false report of a bomb threat to a school would be prohibited from receiving graduated licensing training or a graduated driver's license until three years after his or her conviction date or juvenile disposition.

If the person already had a driver's license, it would have to be suspended for three years, beginning with the conviction date or juvenile disposition. The Secretary of State could issue the person a restricted license after the first 365 days of suspension.

Making a fictitious bomb threat would include issuing false claims about the following:

- Explosives in transportation devices (MCL 750.200).
- Harmful biological, chemical, or radioactive substances (MCL 750.200i).
- Smoke bombs or other chemical irritants (MCL 750.200j).
- Transportation of explosives set off by concussion or friction (MCL 750.201).
- Deceptive marking of explosives or other dangerous substances intended for shipment (MCL 750.202).
- Explosives or other dangerous substances in the mail (MCL 750.204).
- Placement of explosives with intent to frighten, terrorize, intimidate, threaten, harass,

injure, or kill any person, or damage or destroy any real or personal property (MCL 750.207).

- Placement of offensive or injurious substances or compounds with intent to injure, coerce, or interfere with another's business (MCL 750.209).
- Possession of an explosive substances in public with intent to terrorize, frighten, intimidate, threaten, harass, or annoy another (MCL 750.209a).
- Possession of explosive or combustible substance or compound that, when combined with another, will become explosive or combustible (MCL 750.210).
- Sale, disposal, or purchase of valerium, valeric acid or crystals of ammonium valeriate, with some exceptions (MCL 750.210a). (Valerium was the main component of smoke or stink bombs in the 1930s.)
- Manufacture, purchase, sale, or possession of any device designed to explode upon impact or heat, or that is highly incendiary (MCL 750 211a).
- Unmarked or unbranded high explosives (MCL 750.212).

Further, the bill states that each municipal judge and clerk of a court of record would have to prepare and forward to the Secretary of State an abstract of the court record of any bomb threats made to police, sheriffs, or peace officers of the State.

MCL 257.303 et al. (S.B. 645)
380.1311a (S.B. 646)

Legislative Analyst: C. Layman

FISCAL IMPACT

Senate Bill 645 (S-2)

The bill would have a minimal fiscal impact on the State. Revenue from the graduated driver license program and driver license reinstatement fees would be delayed for three years. In some cases, the person could be issued a restricted license after one year and the revenue would be delayed for only one year. No data are available on how many juveniles have been convicted of or found responsible for this crime. In 1999, 44 adults were convicted of making a false bomb threat.

The bill would have no fiscal impact on local units of government.

Senate Bill 646

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: J. Runnels
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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.