

Fiscal Analysis

INCREASE DOMESTIC ASSAULT PENALTIES



Bills/Sponsor HOUSE BILLS 4173 and 4174 as introduced, Rep. Tom Meyer

House Committee Criminal Justice

Analysis

Summary

The bills would increase penalties for simple (as opposed to aggravated) domestic assault. Depending on how they affected charging practices and the numbers and types of convictions obtained, they could increase state or local correctional costs. Increased penal fines could increase revenues from that source going to local libraries, which are the constitutionally-dedicated recipients of such revenues.

Fiscal Impact

House Bill 4173 would amend the Michigan Penal Code to increase maximum penalties for simple domestic assault as follows:

MCL	Current Law	HB 4173
750.81(2) - 1 st offense	93-day misdemeanor \$500	1-year misdemeanor \$500
750.81(3) - 2 nd offense	1-year \$1,000	2-year felony \$1,500
750.81(4) - 3 rd or subsequent offense	2-year felony \$2,500	4-year felony \$2,500

House Bill 4174 would amend the Code of Criminal Procedure to make applicable sentencing guidelines consistent with HB 4173.

Data for the most recent available year are summarized below.

MDOC 2000 Statistical Report – Criminal Court Dispositions					
	<u>Prison</u>	<u>Probation</u>	<u>Jail</u>	<u>Other</u>	<u>TOTAL</u>
750.81(2) - 1st	2	8	3	0	13
750.81(3) - 2nd	0	1	1	0	2
750.81(4) - 3rd +	45	127	70	3	245

In 2000, two offenders were committed to prison for convictions under 750.81(2), with an average minimum sentence of 1.1 years. There were 33 offenders committed under 750.81(4), with an average minimum sentence of 1.4 years. There were no commitments under 750.81(3).

Analyst(s)

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