



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 423 (Substitute S-1 as reported)
Sponsor: Senator Jud Gilbert, II
Senate Committee: Judiciary

CONTENT

The bill would amend the Code of Criminal Procedure to include in the sentencing guidelines delivery of a controlled substance causing death, a felony proposed by House Bill 4673 (S-1). Under the Senate bill, the offense would be a Class A felony against a person, with a statutory maximum sentence of imprisonment for life.

The bill would take effect January 1, 2006, and is tie-barred to House Bill 4673.

MCL 777.16p

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

Senate Bill 423 (S-1) and House Bill 4673 (S-1) would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of delivery of a controlled substance causing death. The proposed felony would be a Class A offense with a sentencing guidelines minimum sentence range from 21-35 months to 270 months-life. Local units of government incur the cost of incarceration in a local facility, which varies by county. The State incurs the cost of felony probation at an average annual cost of \$2,000, as well as the cost of incarceration in a State facility, which for FY 2005-06 will have an average annual cost of approximately \$30,000. Depending on the length of sentence, age at incarceration and life expectancy, the total cost of incarceration for each offender convicted and sentenced to prison could total anywhere from \$52,500 to \$1.5 million.

Date Completed: 9-14-05

Fiscal Analyst: Bethany Wicksall