



Senate Fiscal Agency
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BILL ANALYSIS

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House Bill 6271 (as passed by the House)
Sponsor: Representative David Law
House Committee: Judiciary

CONTENT

The bill would amend the Revised Judicature Act to increase the maximum penalty for contempt and to allow a court to place a person on probation for criminal contempt.

Currently, contempt is punishable by a maximum fine of \$250 or, except when commitment is for the omission to perform an act or duty that is still within the power of the person to perform, up to 30 days' imprisonment, or both a fine and imprisonment, in the court's discretion. (If the contempt consists of the omission to perform an act or duty that is still within the person's power to perform, imprisonment must be terminated when the person performs the act or duty or no longer has the power to perform it.)

The bill would increase the maximum fine for contempt to \$7,500 and allow imprisonment for up to 93 days, except when commitment was for the omission to perform an act or duty that was still within the person's power to perform. In addition, the bill specifies that the court could place an individual who was guilty of criminal contempt on probation in the manner provided in the Code of Criminal Procedure for a person guilty of a misdemeanor.

MCL 600.1715

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on local government. There are no data to indicate how many offenders would be convicted of the offense. To the extent that the bill would result in increased incarceration time or sentences to misdemeanor probation, local governments would incur increased costs of misdemeanor probation and incarceration in local facilities, which vary by county. Additional penal fine revenue would benefit public libraries.

Date Completed: 12-6-06

Fiscal Analyst: Lindsay Hollander