

Legislative Analysis



SENTENCING GUIDELINES: TECHNICAL CHANGES

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Senate Bill 344 as passed by the Senate
Sponsor: Sen. Wayne Kuipers
House Committee: Judiciary
Senate Committee: Judiciary

Complete to 5-15-07

A SUMMARY OF SENATE BILL 344 AS PASSED BY THE SENATE 3-27-07

The bill would amend Chapter 17 (Sentencing Guidelines) of the Code of Criminal Procedure to do both of the following:

- Correct the MCL citation in the sentencing guidelines classification for *receiving or concealing stolen property having a value of \$20,000 or more or with prior convictions*.
- Recodify sentencing guidelines designations for various violations of the Michigan Penal Code.

Incorrect MCL Citation. Currently, the Michigan Compiled Laws (MCL) citation for receiving or concealing stolen property having a value of \$20,000 or more or with prior convictions is listed in the sentencing guidelines as 750.520b(2), but the actual citation for that violation is 750.535(2). The bill would correct this.

The bill specifies that this citation correction would apply retroactively to January 9, 2007 (which is the effective date of Public Act 655 of 2006).

Recodification of Classifications. In addition, MCL 777.16z includes sentencing guidelines classifications for 31 violations of the Penal Code. The bill would delete 25 of those classifications and instead place them in two newly created sections (MCL 777.16aa and 777.16bb).

The offenses recodified in MCL 777.16aa generally deal with eavesdropping, surveillance, and telecommunications. The offenses recodified in MCL 777.16bb generally pertain to terrorism. The offenses remaining in MCL 777.16z generally involve stolen property.)

FISCAL IMPACT:

There is no fiscal impact on the State of Michigan or its local units of government.

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