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BILL ANALYSIS

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Senate Bill 344 (as introduced 3-13-07)  
Sponsor: Senator Wayne Kuipers  
Committee: Judiciary

Date Completed: 3-19-07

### **CONTENT**

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

Currently, the 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 change the guidelines citation to MCL 750.535(2). (A compiler's note after MCL 777.16z, the section that contains this sentencing guideline classification, states: "On the first line of the table in MCL 777.16z, as amended by 2006 PA 655, the reference to '750.520b(2)' evidently should read '750.535(2).'"

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).

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 recodify them in two proposed sections (MCL 777.16aa and 777.16bb). (The offenses recodified in MCL 777.16aa deal with eavesdropping, surveillance, and telecommunications. The offenses recodified in MCL 777.16bb pertain to terrorism. The offenses remaining in MCL 777.16z involve stolen property.)

MCL 777.16 et al.

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

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

Fiscal Analyst: Lindsay Hollander

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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.