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Senate Bill 602 (as introduced 10-3-13)
Sponsor: Senator Joe Hune
Committee: Families, Seniors and Human Services

Date Completed: 5-7-14

CONTENT

The bill would amend the Sex Offenders Registration Act to include engaging the services of a prostitute as a tier II offense.

The Act provides the registration and reporting requirements for sex offenders, and prescribes penalties for offenders who fail to register. Offenders are categorized into one of three tiers, and the length of time that an offender is required to comply with the verification and proof of residency requirements depends on which tier applies to the offender. Unless a petition to discontinue registration is granted, a tier I offender is required to comply for 15 years, a tier II offender must comply for 25 years, and a tier III offender must comply for life.

The tier in which an offender is grouped depends on the crime the offender committed, and whether the offender is a repeat offender. "Tier II offender" means either of the following: a) a tier I offender who is subsequently convicted of another offense that is a tier I offense, or b) an offender convicted of a tier II offense who is not a tier III offender. Some examples of tier II offenses include:

- Accosting, enticing, or soliciting a child less than 16 years of age with the intent to induce or force that child to commit an immoral act, to submit to an act of sexual intercourse or an act of gross indecency.
- Pandering; procuring a female for a house of prostitution; inducing, persuading, or enticing a female to become a prostitute or remain in a house of prostitution or to enter or leave this State for the purpose of prostitution; or receiving or giving anything of value for procuring a female to become a prostitute or to enter or leave this State for the purpose of prostitution.
- Criminal sexual conduct in the second degree committed against a person 13 years of age or older.

The bill would include a violation of Section 449a of the Penal Code as a tier II offense. Section 449a specifies, "Any male person who engages or offers to engage the services of a female person, not his wife, for the purpose of prostitution, lewdness or assignation, by the payment in money or other forms of consideration, is guilty of a misdemeanor."

MCL 28.722

Legislative Analyst: Jeff Mann

FISCAL IMPACT

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

Fiscal Analyst: Bruce Baker

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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.