



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bills 5, 6, and 7 (as introduced 1-18-17)
Sponsor: Senator John Proos (S.B. 5)
Senator Tonya Schuitmaker (S.B. 6)
Senator Marty Knollenberg (S.B. 7)
Committee: Michigan Competitiveness

Date Completed: 1-24-17

CONTENT

The bills would amend separate statutes to define "recidivism", "technical parole violation", and "technical probation violation"; and require data regarding recidivism rates collected under those laws to separate data concerning technical violations from data concerning new convictions.

Senate Bill 5 would amend the Code of Criminal Procedure. Senate Bill 6 would amend the Community Corrections Act. Senate Bill 7 would amend the Corrections Code.

Each bill would define "recidivism" as the rearrest, reconviction, or reincarceration in prison or jail for a felony or misdemeanor offense or a probation or parole violation, or any combination of those events, of an individual as measured first after three years and again after five years from the date of his or her release from incarceration, placement on probation, or conviction, whichever is later.

Under each bill, "technical parole violation" would mean a violation of the terms of a parolee's parole order that is not in and of itself a violation of a law of this State, a political subdivision of this State, another state, or the United States or of tribal law. "Technical probation violation" would mean a violation of the terms of a probationer's probation order that is not in and of itself a violation of a law of this State, a political subdivision of this State, another state, or the United States or of tribal law.

Each bill would require data collected and maintained under the Code or the Act regarding recidivism rates to be collected and maintained in a manner that separated the data regarding technical probation violations and technical parole violations from data on new felony and misdemeanor convictions.

Each bill would take effect 90 days after its enactment.

MCL 761.1 et al. (S.B. 5)
MCL 791.402 & 791.404 (S.B. 6)
Proposed MCL 791.208a (S.B. 7)

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

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

Fiscal Analyst: Ryan Bergan

SAS\S1718\s5sa

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.