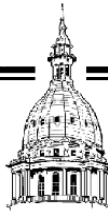




Senate Fiscal Agency  
P. O. Box 30036  
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## BILL ANALYSIS



Telephone: (517) 373-5383  
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Senate Bill 72 (Substitute S-1 as reported)  
Senate Bill 73 (Substitute S-1 as reported)  
Senate Bill 220 (as reported without amendment)  
Sponsor: Senator Steven Bieda  
Committee: Judiciary

**CONTENT**

Senate Bill 73 (S-1) would amend Article 7 (Controlled Substances) of the Public Health Code to remove several controlled substance violations from a provision that requires imprisonment for life and prohibits eligibility for probation or parole for a repeat offense.

Under Section 7413(1) of the Code, a person who has previously been convicted of any of the following offenses and then is convicted of a second or subsequent violation of any of those offenses must be imprisoned for life and is not eligible for probation, suspension of sentence, or parole during the mandatory term:

- Manufacturing, creating, delivering, or possessing with intent to manufacture, create, or deliver 450 grams or more, but less than 1,000 grams, of a mixture containing a Schedule 1 or 2 controlled substance or cocaine.
- Manufacturing, creating, delivering, or possessing with intent to manufacture, create, or deliver 50 grams or more, but less than 450 grams, of a mixture containing a Schedule 1 or 2 controlled substance or cocaine.
- Knowingly and intentionally possessing 450 grams or more, but less than 1,000 grams, of a mixture containing a Schedule 1 or 2 controlled substance or cocaine.
- Knowingly and intentionally possessing 50 grams or more, but less than 450 grams, of a mixture containing a Schedule 1 or 2 controlled substance or cocaine.
- A conspiracy to commit any of the offenses described above.

The bill would delete that provision.

Currently, except as provided for the offenses listed above (and certain other controlled substance violations), an individual convicted of a second or subsequent offense under Article 7 may be imprisoned for a term of up to twice the term otherwise authorized or fined up to twice the amount otherwise authorized, or both. Under the bill, this also would apply to the offenses listed above.

Senate Bill 72 (S-1) would amend the Corrections Code to provide that a prisoner who had been sentenced to life without parole for a violation addressed by Senate Bill 73 (S-1) would be eligible for parole after serving five years of each sentence imposed for that violation.

Before granting parole to a prisoner subject to the bill, the parole board would have to notify the prosecuting attorney of the county in which the prisoner had been convicted.

Senate Bill 220 would amend the sentencing guidelines in the Code of Criminal Procedure to change a citation to the Michigan Compiled Laws section that Senate Bill 73 (S-1) would amend.

MCL 791.234 (S.B. 72)  
333.7413 (S.B. 73)  
777.18 (S.B. 220)

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

Senate Bills 72 (S-1) and 73 (S-1) could have a positive fiscal impact on the State and would have no fiscal impact on local government. The proposed changes could reduce the length of sentences for prisoners convicted of the relevant offenses. For any reduction in time served, in the short term, the marginal savings to State government would be approximately \$3,764 per prisoner per year.

Senate Bill 220 would have no fiscal impact on State or local government.

Date Completed: 3-15-17

Fiscal Analyst: Ryan Bergan