



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 652 (as introduced 8-13-03)
Senate Bill 777 (as introduced 10-14-03)
Sponsor: Senator Ron Jelinek (Senate Bill 652)
Senator Tom George (Senate Bill 777)
Committee: Judiciary

Date Completed: 10-14-03

CONTENT

Senate Bill 652 would amend the Michigan Penal Code to prohibit transporting anhydrous ammonia in any container not approved by law. A violation would be a felony punishable by up to four years' imprisonment, a maximum fine of \$2,000, or both.

Senate Bill 777 would amend the Code of Criminal Procedure to include a violation of Senate Bill 652 in the sentencing guidelines. Transporting anhydrous ammonia in a nonapproved container would be a Class F felony against the public safety with a statutory maximum sentence of four years' imprisonment. Senate Bill 777 is tie-barred to Senate Bill 652.

Proposed MCL 750.367d (S.B. 652)
MCL 777.16t (S.B. 777)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have an indeterminate fiscal impact on State and local government.

There are no data to indicate how many offenders would be convicted of transporting anhydrous ammonia in an unapproved container. Offenders convicted of the proposed Class F crime would receive a sentencing guidelines minimum sentence range from 0-3 months to 17-30 months. Local units would incur the cost of incarceration in a local facility, which varies by county. The State would incur the cost of felony probation at an average annual cost of \$1,750, as well as the cost of incarceration in a State facility at an average annual cost of \$27,000.

Public libraries would benefit from any additional penal fine revenue raised due to the proposed offense.

Fiscal Analyst: Bethany Wicksall

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