Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 205 (Substitute S-2 as reported) *(Senate-passed version)*
Senate Bill 206 (Substitute S-2 as reported)
Sponsor: Senator Judy K. Emmons (S.B. 205)
Senator Tonya Schuitmaker (S.B. 206)
Committee: Families, Seniors and Human Services

CONTENT

Senate Bill 205 (S-2) would amend the Michigan Penal Code to provide that a person who engaged or offered to engage another person, who was under the age of 18 and who was not the person's spouse, for the purposes of prostitution by payment in money or other forms of consideration would be guilty of a felony. The offense would be punishable by up to five years in prison or a fine of up to $10,000, or both. If the person solicited were not under 18, the offense would be a misdemeanor (as it currently is, regardless of the person's age).

The bill also would remove gender-specific references in the description of the offense.

In addition, a person who committed the offense would be subject to Part 52 (Hazardous Communicable Diseases) of the Public Health Code.

Senate Bill 206 (S-2) would amend the Code of Criminal Procedure to include in the sentencing guidelines the offense proposed by Senate Bill 205 (S-2) as a Class E crime against a person with a statutory maximum of five years.

Senate Bill 206 (S-2) is tie-barred to Senate Bill 205.

The bills would take effect 90 days after enactment.

MCL 750.449a-750.450 (S.B. 205) Legislative Analyst: Jeff Mann
777.16w (S.B. 206)

FISCAL IMPACT

The bills would have an indeterminate, but likely slight, fiscal impact on State and local government. The bills would expand felony prosecution to people who engaged a person under the age of 18 to commit prostitution. This could result in an increase in the number of individuals found in violation of the Penal Code sections concerning prostitution. Since prostitution data are not broken out by the age of the person solicited for prostitution, there is no information about how many offenders this extension would affect. Those committing the proposed felony could lead to an increase in incarceration costs for the State at an average of $35,000 per prisoner per year.

Date Completed: 5-19-14 Fiscal Analyst: John Maxwell

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.