



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 565 (Substitute S-3 as reported)
Sponsor: Senator Mike Rogers Committee:
Judiciary

CONTENT

The bill would amend the Michigan Penal Code to add second-degree criminal sexual conduct and first- and second-degree home invasion to the offenses included in the Code's "felony murder" provision. (Under that provision, murder committed in the perpetration or attempt of certain felonies, including arson, constitutes first-degree murder, which requires a sentence of life in prison without possibility of parole.) For purposes of the felony murder provision, the bill would define "arson" as the burning of a dwelling house (MCL 750.72), the burning of other real property (MCL 750.73), the burning of personal property (MCL 750.74), or the burning of insured property (MCL 750.75).

The bill is tie-barred to Senate Bill 511, which would make similar revisions to the Code.

MCL 750.316

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State government.

To the extent that the inclusion of second-degree criminal sexual conduct (CSC), and home invasion in the first or second degree into the list of crimes that require mandatory life prison sentences for a murder committed during the commission of the crime increased the length of prison sentences for those offenders, costs for the Department of Corrections would increase. Under current law, an offender who commits murder during second-degree CSC or home invasion of the first or second degree may be sentenced to life, but a life sentence is not mandatory.

(For additional information, please see FISCAL IMPACT on Senate Bill 511.)

Date Completed: 9-27-95

Fiscal Analyst: M. Hansen

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