

ALLOW CERTAIN USES OF TASERS, ETC.



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FISCAL ANALYSIS

HOUSE BILL 6028 as introduced
Sponsor: Rep. Mickey Mortimer
Committee: Criminal Justice

COMMITTEE ANALYSIS - 12/3/02
Analyst(s): Marilyn Peterson

SUMMARY

The bill would amend the Michigan Penal Code to permit certain devices using electro-muscular disruption technology (such as "tasers") to be used by a variety of law enforcement personnel and for personal self-defense; at present, statute limits possession of the devices to the state police for testing purposes. Sales to minors would be prohibited. Violation of the bill would be a felony punishable by imprisonment for up to four years, a fine of up to \$2,000, or both; the same penalties apply to violations of the current statute.

The bill's fiscal impact on the state and local units of government would depend on how it affected the numbers of convictions obtained for taser law violations. In 2000, there were 36 dispositions for violations and attempted violations of the current law against possession or sale of the devices; of those sentences, nine were prison sentences, four were probation, six were jail, and one was "other" (possibly a fine only or commitment under the Holmes Youthful Trainee Act). Although 2000 prison intake did not include any taser law violators, 2001 intake included two such offenders: one sentenced to six months in prison, and the other sentenced to one year. Thus, it appears that the bill likely would have a minimal fiscal impact on the state and local correctional systems.