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Senate Bill 1287 (Substitute S-1 as reported)
Senate Bill 1288 (Substitute S-2 as reported)
Sponsor: Senator Jud Gilbert, II (S.B. 1287)
Senator Gerald Van Woerkom (S.B. 1288)
Committee: Judiciary

CONTENT

Senate Bill 1287 (S-1) would amend the Michigan Penal Code to prohibit a person from manufacturing, buying, selling, furnishing, or possessing a Molotov cocktail or any similar device that is designed to explode or will explode upon impact or with the application of heat or a flame, or that is highly incendiary, except as authorized by law. A violation would be a felony punishable by up to four years' imprisonment and/or a maximum fine of \$2,000.

Senate Bill 1288 (S-2) would amend the Code of Criminal Procedure to include a violation of Senate Bill 1287 (S-1) in the sentencing guidelines. The offense would be a Class F felony against the public safety, with a statutory maximum sentence of four years' imprisonment. The bill is tie-barred to Senate Bill 1287.

MCL 750.211a (S.B. 1287)
777.16k (S.B. 1288)

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 the new offense. A class F felony has a minimum sentencing guidelines recommended sentence range of 0-3 months to 17-30 months. Local units would incur the costs of intermediate sanctions and incarceration in a local facility, both of which vary by county. The State would incur the cost of felony probation at an average annual cost of \$1,800, as well as the cost of incarceration in a State facility at an average annual cost of \$28,000. For each offender who was convicted, sentenced to prison, and given the longest allowable minimum sentence, it would cost the State \$70,000. Public libraries would benefit from any additional penal fine raised.

Date Completed: 6-9-04

Fiscal Analyst: Bethany Wicksall