



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 1234 (Substitute S-1 as reported)
Sponsor: Senator Alan L. Cropsey
Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to extend penalties for dealing in stolen, embezzled, or converted property to a person who had reasonable cause to believe that the property was stolen, embezzled, or converted.

The Code prohibits a person from buying, receiving, possessing, concealing, or aiding in the concealment of a stolen motor vehicle or other stolen, embezzled, or converted money, goods, or property, knowing the motor vehicle, money, goods, or property is stolen, embezzled, or converted. Under the bill, these prohibitions also would apply to a person who had reasonable cause to believe that the money, goods, property, or motor vehicle was stolen, embezzled, or converted.

The bill also specifies that it would not be a defense to a charge under these provisions that the property was not stolen, embezzled, or converted property at the time of the violation if the property were explicitly represented to the accused person as being stolen, embezzled, or converted property.

MCL 750.535

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of buying, receiving, possessing, concealing, or aiding in the concealment of a motor vehicle or money, goods, or property having reasonable cause to believe the property was stolen, embezzled, or converted. In 2003, there were 2,303 felony convictions (561 of which were for attempting the offense) under this section of the Penal Code. Of these convictions, 452 offenders were sentenced to prison, 1,262 to probation, 250 to jail, and 339 to a delayed or suspended sentence or Holmes Youthful Trainee Act (HYTA) probation. There are no data to indicate the number of misdemeanor convictions under this section. To the extent that the bill would result in more convictions, local governments would incur increased costs of incarceration in local facilities, which vary by county. The State would incur increased costs of felony probation at an annual average cost of \$2,000, as well as the cost of incarceration in a State facility at an average annual cost of \$30,000. Additional penal fine revenue would benefit public libraries.

Date Completed: 5-4-06

Fiscal Analyst: Lindsay Hollander