

Legislative Analysis



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House Bill 5335

Sponsor: Rep. Bert Johnson

House Bill 5336

Sponsor: Rep. Tim Melton

Committee: Judiciary

Complete to 3-11-08

A SUMMARY OF HOUSE BILLS 5335 AND 5336 AS INTRODUCED 10-23-07

House Bill 5335 would amend the Michigan Penal Code (MCL 777.16r) to make it a felony to steal copper wiring or to offer for sale copper wiring belonging to another person without that person's consent. The felony would be punishable by imprisonment for up to two years and/or a fine of up to \$5,000.

House Bill 5336 would amend the Code of Criminal Procedure (MCL 750.357c) to put the new felony into sentencing guidelines. The crime would be a Class G felony against property with a two-year maximum sentence. The bill is tie-barred to House Bill 5335.

FISCAL IMPACT:

The bills' fiscal impact on state and local correctional systems would depend on how they affected the number of criminal convictions and the severity of sentences. There are no data to indicate the number of people who might be convicted of the two-year felony to be created by HB 5335. The felony would be a Class G crime against property. Exclusive of sentences for habitual offenders, sentencing guidelines ranges for the minimum sentence for a Class G offense vary from 0-3 months (for which a nonprison sanction is required), to 7-23 months (for which either prison or a local sanction may be ordered).

To the extent that more offenders were sentenced to jail, counties could incur increased costs of jail incarceration; those costs vary by county. To the extent that more offenders were sentenced to prison, the state could incur increased costs averaging about \$32,000 per prisoner per year. To the extent that more offenders were sentenced to felony probation, the state could incur increased costs of probation supervision; parole and probation supervision cost about \$2,000 per supervised offender per year.

Any increase in penal fine revenues could benefit local libraries, which are the constitutionally-designated recipients of such revenues.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.