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Senate Bills 651 and 652 (as introduced 6-18-09)

Sponsor: Senator Jud Gilbert, II (S.B. 651)

Senator Jim Barcia (S.B. 652)

Committee: Health Policy

Date Completed: 10-27-09

## **CONTENT**

**Senate Bills 651 and 652 would amend the Michigan Penal Code and the Code of Criminal Procedure, respectively, to make it a felony to transport into the State a human embryo created through human cloning.**

Senate Bill 652 is tie-barred to Senate Bill 651.

### **Senate Bill 651**

The bill would prohibit a person from intentionally transporting, attempting to transport, or causing to be transported into the State a human embryo created through human cloning. A person who violated the prohibition would be guilty of a felony punishable by imprisonment for up to 10 years and/or a maximum fine of \$10,000 (the current penalty for intentionally engaging in human cloning).

### **Senate Bill 652**

The bill would add to the sentencing guidelines the transport of a human embryo created through human cloning. The offense would be a Class D felony against a person punishable by imprisonment for up to 10 years.

MCL 750.430a (S.B. 651)  
777.16v (S.B. 652)

Legislative Analyst: Julie Cassidy

## **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 proposed Class D offense. An offender convicted of transporting a human embryo created through human cloning would receive a sentencing guidelines minimum sentence range of 0-6 months to 43-76 months, with a statutory maximum of 10 years. Local governments would incur the costs of incarceration in local facilities, which vary by county. The State would incur the cost 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 \$32,000. Individuals convicted of this offense could be subject to penal fines, not to exceed \$10,000. Any additional revenue collected under this classification would benefit public libraries.

Fiscal Analyst: Matthew Grabowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.