



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 848 (Substitute S-2 as reported)
Sponsor: Senator Steven Bieda
Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to prescribe a felony penalty for assault by strangulation or suffocation.

Under Section 84 of the Code, a person who assaults another with intent to do great bodily harm, less than murder, is guilty of a felony punishable by up to 10 years' imprisonment and/or a maximum fine of \$5,000. Under the bill, the same penalty would apply to a person who assaulted another by strangulation or suffocation.

The bill would define "strangulation or suffocation" as intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person.

The bill specifies that Section 84 would not prohibit a person from being charged with, convicted of, or punished for any other violation of law arising out of the same conduct.

The bill would take effect on July 1, 2012

MCL 750.84

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. The impact this bill would have on fines and length of sentence would vary based on the circumstances of each offense. If the aggregate impact resulted in lengthened average prison terms, the State would incur increased incarceration costs, which average approximately \$34,000 per prisoner annually. The bill also could affect local government costs as it could result in an offender's being housed at a State facility instead of a local facility.

Date Completed: 1-18-12

Fiscal Analyst: Dan O'Connor