



Senate Fiscal Agency
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House Bill 4848 (Substitute H-1 as reported by the Committee of the Whole)
Sponsor: Representative Andrea LaFontaine
House Committee: Natural Resources, Tourism, and Outdoor Recreation
Senate Committee: Outdoor Recreation and Tourism

CONTENT

The bill would amend Section 479a of the Michigan Penal Code to do the following:

- Extend provisions regarding fleeing and eluding a police or conservation officer, including criminal penalties, to the operator of a vessel.
- Require a violator's privilege to operate a vessel to be suspended for up to five years upon conviction for third- or fourth-degree fleeing and eluding.
- Require a violator's privilege to operate a vessel to be revoked for at least five years upon conviction for first- or second-degree fleeing and eluding.
- Name Section 479a the "Lieutenant Donald Bezenah Law".

(Under Section 479a, fleeing and eluding in any degree is a felony. Penalties range from imprisonment for up to two years and/or a maximum fine of \$2,000 for fourth-degree fleeing and eluding, to imprisonment for up to 15 years and/or a maximum fine of \$15,000 for first-degree fleeing and eluding.)

The bill would take effect on November 1, 2012.

MCL 750.479a

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. By applying the fleeing and eluding statute to marine vessel operators, the bill could result in increased incarceration costs for both State and local units. There are no data to indicate how many marine vessel operators would violate this statute; however, if imprisoned, an offender would cost the State an average of approximately \$34,000 per year. Some offenders would be housed in jails, imposing costs on local units, but these costs vary by county. Additional penal fine revenue would benefit public libraries.

Date Completed: 2-23-12

Fiscal Analyst: Dan O'Connor