



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 5284 (as reported by the Committee of the Whole)  
Sponsor: Representative John Walsh  
House Committee: Judiciary  
Senate Committee: Judiciary

**CONTENT**

The bill would amend the Michigan Penal Code to expand the definition of "computer", with regard to the use of a computer to commit certain crimes, to include computer game devices or handheld devices used to transmit or receive data over the internet.

The Penal Code prohibits a person from using the internet or a computer, computer program, computer network, or computer system to communicate with any person for the purpose of committing certain crimes.

The Code defines "computer" as any connected, directly interoperable or interactive device, equipment, or facility that uses a computer program or other instructions to perform specific operations including logical, arithmetic, or memory functions with or on computer data or a computer program and that can store, retrieve, alter, or communicate the results of the operations to a person, computer program, computer, computer system, or computer network.

The bill specifies that "computer" also would include a computer game device or a cellular telephone, personal digital assistant (PDA), or other handheld device while being used to transmit or receive data over the internet.

The bill would take effect on January 1, 2013.

MCL 750.145d

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The bill would have an indeterminate, but likely minor, fiscal impact on State and local government. By broadening the definition of "computer" to include mobile internet access devices and gaming devices, the bill could cause a marginal increase in convictions for the felonies and misdemeanors affected by the change. The extent of this increase would result in associated cost increases for State and local government due to incarceration and community supervision. Any increase in penal fine revenue would benefit public libraries.

Date Completed: 9-25-12

Fiscal Analyst: Dan O'Connor