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Senate Bill 598 (as introduced 10-3-13)  
Sponsor: Senator Tom Casperson  
Committee: Families, Seniors and Human Services

*(Senate-passed version)*

Date Completed: 2-5-14

### **CONTENT**

**The bill would amend the definition of "racketeering" in the Michigan Penal Code to add an offense involving enticing a minor female.**

The Code prohibits a person from engaging in certain activities through a "pattern of racketeering activity" (at least two incidents of racketeering that have interrelated characteristics and amount to or pose a threat of continuing criminal activity). The Code defines "racketeering" as "committing, attempting to commit, conspiring to commit, or aiding or abetting, soliciting, coercing, or intimidating a person to commit an offense for financial gain". Some examples of offenses that, if committed for financial gain, would meet the definition of racketeering include:

- Child sexually abusive activity.
- Human trafficking.
- Prostitution.
- Kidnapping.

The bill would add a violation of Section 13 of the Code, concerning enticing away a female under the age of 18. (Section 13 provides, "Any person who shall take or entice away any female under the age of 16, from her father, mother, guardian, or other person having legal charge of her person, without their consent, either for the purpose of prostitution, concubinage, sexual intercourse or marriage, shall be guilty of a felony".)

A person who commits a pattern of racketeering activity is guilty of a felony punishable by up to 20 years' imprisonment and/or a maximum fine of \$100,000. The sentencing court also may order the person to pay court costs and/or pay the State or local law enforcement agency the costs of investigation and prosecution.

MCL 750.159g

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bill would extend the definition of racketeering to the felony act of the enticement of a female minor. The expanded scope could result in a greater number of convictions and/or lengthened average sentences for those who would be convicted. These factors combined could result in a \$35,000 per year per prisoner cost to the State. The bill also could result in an increased cost to local court systems due to the expanded definition.

Fiscal Analyst: John Maxwell

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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.