



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 5070 (Substitute H-1 as reported without amendment)
House Bill 5071 (Substitute H-2 as reported without amendment)
Sponsor: Representative Kurt Heise
House Committee: Criminal Justice
Senate Committee: Judiciary

CONTENT

House Bill 5070 (H-1) would amend the Michigan Penal Code to prohibit and prescribe criminal penalties for squatting. An individual would be guilty of the crime if he or she occupied a building that was a single-family dwelling or one or both units in a building that was a two-family dwelling and had not, at any time during the period of occupancy, occupied the property with the owner's consent for an agreed-upon consideration.

A first offense would be a misdemeanor punishable by a maximum fine of \$5,000 per dwelling unit occupied, up to 180 days' imprisonment, or both. A second or subsequent offense would be a felony punishable by a maximum fine of \$10,000 per dwelling unit occupied, up to two years' imprisonment, or both.

The violation and penalties would not apply to a guest or a family member of the owner of the dwelling or of a tenant.

House Bill 5071 (H-2) would amend the Code of Criminal Procedure to include the felony proposed by House Bill 5070 (H-1) in the sentencing guidelines as a Class G property felony with a statutory maximum sentence of two years' imprisonment. The bill is tie-barred to House Bill 5070.

Proposed MCL 750.553 (H.B. 5070)
MCL 777.16bb (H.B. 5071)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would create a new misdemeanor for the first offense of squatting and a new felony for the second or subsequent offense of squatting. As with any new criminal offense, the bills could result in additional convictions, which would increase the costs of incarceration and/or community supervision for State and local government, but there are no data to indicate how many convictions would result. Any additional penal fine revenue would benefit public libraries.

Date Completed: 1-15-14

Fiscal Analyst: Steve Anglotti