



Senate Fiscal Agency
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House Bill 4923 (Substitute S-1 as reported)
House Bill 4924 (Substitute H-2 as reported without amendment)
Sponsor: Representative Jim Lilly (H.B. 4923)
Representative Sarah Anthony (H.B. 4924)
House Committee: Transportation
Judiciary
Senate Committee: Judiciary and Public Safety

CONTENT

House Bill 4924 (H-2) would amend the Michigan Penal Code to do the following:

- Prohibit a person from importing, manufacturing, selling, distributing, installing, or reinstalling a counterfeit supplemental restraint system or a nonfunctional airbag.
- Prohibit a person from selling, leasing, or trading a vehicle known to have been installed with a counterfeit supplemental restraint system or a nonfunctional airbag.
- Prescribe a felony penalty for violating the bill.

House Bill 4923 (S-1) would amend the sentencing guidelines in the Code of Criminal Procedure to include the felony prescribed in House Bill 4924 (H-2) as a Class F felony against public safety, with a statutory maximum of four years' imprisonment.

House Bill 4923 is tie-barred to House Bill 4924.

MCL 777.16u (H.B. 4923)
Proposed MCL 750.421d (H.B. 4924)

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

House Bill 4923 (S-1) would have no fiscal impact on local government and an indeterminate fiscal impact on the State, in light of the Michigan Supreme Court's July 2015 opinion in *People v. Lockridge*, in which the Court ruled that the sentencing guidelines are advisory for all cases. This means that the addition to the guidelines under the bill would not be compulsory for the sentencing judge. As penalties for felony convictions vary, the fiscal impact of any given felony conviction depends on judicial decisions.

House Bill 4924 (H-2) would have a negative fiscal impact on the State and local government. New felony arrests and convictions under the bill could increase resource demands on law enforcement, court systems, community supervision, jails, and correctional facilities. However, it is unknown how many people would be prosecuted under the bill's provisions. The average cost to State government for felony probation supervision is approximately \$3,700 per probationer per year. For any increase in prison intakes, in the short term, the marginal cost to State government is approximately \$5,400 per prisoner per year. Any additional revenue from imposed fines would go to local libraries.

Date Completed: 10-8-20

Fiscal Analyst: Joe Carrasco

[floor/hb4923](#)

Bill Analysis @ www.senate.michigan.gov/sfa

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.