

REMOVE CAP ON COUNTY REWARD FOR INFORMATION LEADING TO ARREST AND CONVICTION

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House Bill 4173 as reported from committee

Sponsor: Rep. Kara Hope

Committee: Judiciary

Complete to 2-23-22

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Act 114 of 2022)

BRIEF SUMMARY: House Bill 4173 would amend the Code of Criminal Procedure to remove the limit on the reward that a county can offer for certain information regarding criminal activity.

FISCAL IMPACT: House Bill 4173 would have no fiscal impact on the state and would have an indeterminate fiscal impact on local units of government. Under provisions of the bill, county boards of commissioners would be authorized to offer and pay a reward for the arrest and conviction, or for information leading to the arrest and conviction, of any person or persons having committed a crime within the county or having escaped from any penal institution within the county. Counties would decide the amount of awards they want to offer, and awards would be paid out of the general fund of the county. Because the amount of awards that would be offered and paid is not known, it is not possible to determine the fiscal impact on counties.

THE APPARENT PROBLEM:

Offering a reward for information regarding a crime can help lead to an arrest and subsequent conviction. However, the amount that counties are limited to providing as a reward has not been increased in over 70 years. Some believe that if counties were allowed to give out a higher reward as an incentive for relevant information regarding a crime, it would lead to more and better tips about crimes, which would result in more arrests and convictions for those crimes.

THE CONTENT OF THE BILL:

Currently under the Code of Criminal Procedure, a county board of supervisors is authorized to offer and pay from the county's general fund a reward of up to \$2,000 for the arrest and conviction, or for information leading to the arrest and conviction, of a person who has committed a crime or escaped from prison or jail in that county. The act also provides that, when the board of supervisors is not in session, its finance committee may offer and pay such a reward.

The bill would remove the cap on the reward amount described above. Under the bill, a county board of commissioners could offer and pay from the county's general fund a reward (of any amount) for the arrest and conviction, or for information leading to the arrest and conviction, of a person who has committed a crime or escaped from prison or jail in that county.

The bill would also provide that, when the board of commissioners is not in session, its finance committee may offer and pay such a reward, but only if a reward is requested by the county's sheriff or prosecuting attorney.

The bill would take effect 90 days after being enacted into law.

MCL 776.19

BACKGROUND:

House Bill 4173 is similar to HB 4045 of the 2019-20 legislative session and HB 4971 of the 2017-18 legislative session, both of which were passed by the House of Representatives.

ARGUMENTS:

For:

In addition to the possibility that increased rewards could lead to more convictions, supporters of the bill stressed that the amount of any reward money is permissive, rather than mandatory, and that counties would be allowed to offer a reward in any amount, or offer no reward at all. A county could determine how much it could afford to offer as a reward or calculate the value of a reward based on the particular criminal case.

POSITIONS:

A representative of Ingham County and the Michigan Sheriffs' Association testified in support of the bill. (1-25-22)

The following entities indicated support for the bill (1-25-22):

- Michigan Association of Counties
- Prosecuting Attorneys Association of Michigan

Legislative Analyst: Emily S. Smith
Fiscal Analyst: Robin Risko

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.