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House Bill 4132 (Substitute H-1 as reported without amendment)  
House Bill 4133 (Substitute H-1 as reported without amendment)  
Sponsor: Representative Pauline Wendzel (H.B. 4132)  
Representative Ann Bollin (H.B. 4133)  
House Committee: Judiciary  
Senate Committee: Elections

## **CONTENT**

House Bill 4132 (H-1) would amend the Michigan Election Law to do the following:

- Specify that a person who knowingly submitted an absentee ballot application that contained false information would be guilty of a felony instead of a misdemeanor.
- Require a statement to be included on an absentee ballot application indicating that a person who knowingly submitted an application that contained false information or a forged signature would be guilty of a felony.
- Specify that a person who knowingly filled out an absentee ballot application and submitted, without consent, an absentee ballot application that contained or used another person's name and personal identification information would be guilty of a felony.
- Specify that a person who knowingly filled out and submitted or caused to be submitted an absentee ballot application with the intent to obtain multiple absentee ballot for a person would be guilty of a felony.

House Bill 4133 (H-1) would amend the sentencing guidelines in the Code of Criminal Procedure to include the felonies proposed by House Bill 4132 (H-1).

House Bill 4133 (H-1) is tie-barred to House Bill 4132.

MCL 168.759 (H.B. 4132)  
777.11d (H.B. 4133)

Legislative Analyst: Dana Adams

## **FISCAL IMPACT**

House Bill 4132 (H-1) would have a negative fiscal impact on 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 \$3,400 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.

House Bill 4133 (H-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.

Date Completed: 2-22-22

Fiscal Analyst: Joe Carrasco