
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 200 (as introduced 2-13-97)
Sponsor: Senator William Van Regenmorter
Committee: Judiciary

Date Completed: 7-31-97

CONTENT

The bill would amend the Michigan Penal Code prohibit and provide penalties for causing, by force or coercion, a suicide or attempted suicide and for assisting in a suicide or attempted suicide.

Causing a Suicide

A person who knowingly or intentionally, by force or coercion, caused a person to commit suicide would be guilty of murder, punishable as first- or second-degree murder. (First-degree murder requires a penalty of imprisonment for life without possibility of parole; second-degree murder carries a penalty of imprisonment for life or any term of years.) A person who knowingly or intentionally, by force or coercion, caused a person to attempt suicide would be guilty of attempted murder. (Attempted murder carries a penalty of imprisonment for life or any term of years.)

Assisting a Suicide

A person would be guilty of criminal assistance to suicide if the person knew that an individual intended to commit or attempt suicide and, with the intent to assist in the suicide or attempted suicide, did any of the following:

- Provided the means by which the individual attempted or committed suicide.
- Participated in an act by which the individual attempted or committed suicide.
- Helped an individual plan to attempt or commit suicide.

Criminal assistance to suicide would be a felony, punishable by up to four years' imprisonment, a maximum fine of \$2,000, or both.

The offense of criminal assistance to suicide would not apply to withholding or withdrawing medical treatment. The offense also would not apply to prescribing, dispensing, or administering medication with the intent to relieve an individual's pain or discomfort and not to cause death, even if the medication could hasten or increase the risk of death, if the following conditions that applied were satisfied:

- The medication was prescribed by a licensed physician under generally accepted standards of medical practice and within the scope of the physician's practice; and the physician was licensed to prescribe controlled substances (if applicable), maintained a clinical practice in Michigan at a fixed location, and had an established physician-patient relationship with the

individual in which the physician had provided medical consultation and treatment for the disease, symptom, or condition resulting in the pain or discomfort.

- The medication was dispensed in compliance with the Public Health Code.
- The medication was administered in accordance with the prescription or the physician's instructions.

Proposed MCL 750.329a

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate, yet likely minimal fiscal impact on State and local government.

The new crime proposed by the bill could result in increased prison commitments for those individuals convicted of causing or assisting in a suicide. While there are no data currently available that might indicate the potential number of annual violators, the number is not expected to be significant. As a point of reference, a life sentence costs the State, on average, approximately \$15,000 annually per offender, or, assuming that a life sentence is equal to 50 years, \$750,000 over the entire term of incarceration.

Fiscal Analyst: M. Hansen

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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.