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FALSE CRIME REPORTS/COST RECOVERY

Senate Bill 633 (Substitute H-2)
Senate Bill 634 (Substitute H-2)
Sponsor: Sen. William Van Regenmorter

Senate Bills 635 (Substitute H-2)
Sponsor: Sen. Dale L. Shugars

Addendum to SFA analysis (9-27-00)
Senate Committee: Judiciary
**House Committee: Criminal Law and
Corrections**

ADDENDUM TO SENATE FISCAL AGENCY ANALYSIS OF SB 633, 634, AND 635 DATED 9-28-99:

HOUSE COMMITTEE ACTION:

The House Committee on Criminal Law and Corrections adopted a substitute for Senate Bill 633 to correct an apparent flaw in the current provisions concerning false reports of bombs, attempted bombings, or a threat to bomb. The existing language can be read to deal only with false reports of threats, as opposed to barring the threats themselves. [This flaw in the current language was pointed out in a court of appeals case, *People v Fratangelo* (Mich Court of Appeals, docket # 222535, June 6, 2000).] The substitute would expand the current provisions to prohibit the following:

a) knowingly communicating a false report to another person of a violation or attempted violation of the explosives chapter of the penal code, or the provisions against causing a death due to explosives, or a death due to explosives placed with the intent to destroy property;

b) threatening to violate the explosives chapter of the penal code or the provisions against causing a death due to explosives, or a death due to explosives placed with the intent to destroy property.

In addition, the substitute would expand the definition of local government to include a city, village, township, or county; a local or intermediate school district; a public school academy; or a community college. The definition of "state" would include a state institution of higher learning.

The substitute for Senate Bill 634 would reflect the change in the description of the crime - indicating that a threat or false report is prohibited (as opposed to a false report of a threat).

The substitute for Senate Bill 635 would include the threat and false reporting of explosives crimes as set forth in the substitute version of Senate Bill 633, as well as violations or attempted violations of the explosives chapter of the penal code, death due to explosives, and the sale or

furnishing of bulk gunpowder or dynamite to a minor, in the crimes for which reimbursement could be ordered. In addition, the substitute would also add the following to the list of crimes for which reimbursement could be ordered: attempted violations of drunk driving related crimes and attempted felonious driving, negligent homicide, manslaughter, or murder resulting from operation of a vehicle while under the influence of alcohol or controlled substances.

Finally, each substitute would have an effective date of January 1, 2001.

POSITIONS:

A representative of the Department of State Police testified in support of the bill. (9-26-00)

Analyst: W. Flory

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