

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 106 (Substitute S-1 as reported)
Sponsor: Senator Virgil C. Smith, Jr.
Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to increase the penalties for operating a "chop shop", and to require restitution.

Under the Code, knowingly owning, operating, or conducting a chop shop or knowingly aiding and abetting another person in owning, operating, or conducting a chop shop is a felony. The current penalty is up to five years' imprisonment, a maximum fine of \$5,000, or both. Upon a second or subsequent conviction, a person may be imprisoned for up to five years and must be fined at least \$10,000. Under the bill, the violation would be punishable by up to 15 years' imprisonment, a maximum fine of \$250,000, or both. A person convicted a second or subsequent time could be imprisoned for up to 15 years and would have to be fined at least \$10,000 but not more than \$250,000, or could receive both a prison sentence of up to 15 years and a fine of \$10,000 to \$250,000.

The Penal Code also provides that, in addition to any other punishment, a chop shop offender may be ordered to make restitution and that restitution may be imposed in addition to, but not instead of, any imprisonment or fine. The bill would make restitution mandatory.

"Chop shop" means an area, building, storage lot, field, or any other premises or place in which one or more persons are engaged or have engaged in altering, dismantling, reassembling, or in any way concealing or disguising the identity of a stolen motor vehicle or any major component part of a stolen motor vehicle, or in which there are three or more stolen motor vehicles present or there are major component parts from three or more stolen motor vehicles present.

MCL 750.535a

Legislative Analyst: P. Affholter

FISCAL IMPACT

Senate Bill 106 (S-1) would have an indeterminate impact on State and local government.

The bill would increase the maximum prison sentence for operating a chop shop from five years to 15 years. In 1996, there were 57 total dispositions for this offense. Of those dispositions, 13 or 23% were committed to State prisons. The increase in maximum prison sentence would affect offenders who serve the full maximum sentence. There are no data to suggest how many offenders would serve the full maximum sentence.

Date Completed: 2-16-99

Fiscal Analyst: K. Firestone