




Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 698 (as reported with amendment)
Sponsor: Senator Michael D. Bishop
Committee: Judiciary

CONTENT

The bill would amend the Code of Criminal Procedure to include in the sentencing guidelines operating or maintaining a controlled substance laboratory involving methamphetamine.

The offense would be listed in the sentencing guidelines as a Class B controlled substances felony with a statutory maximum penalty of 20 years' imprisonment. (Senate Bill 649 would prescribe a penalty of imprisonment for up to 20 years, a maximum fine of \$25,000, or both, for owning or using a vehicle, building, or place, owning or possessing chemical or laboratory equipment, or providing any chemical or laboratory equipment to another for the manufacture of methamphetamine.)

The bill would take effect on January 31, 2004, and is tie-barred to Senate Bill 649.

MCL 777.13m

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

Senate Bills 649 and 698 would have an indeterminate fiscal impact on State and local government.

There are no data to indicate how many new offenders would be convicted or how many offenders who are currently convicted of other substance abuse offenses would be convicted instead of operating or maintaining a controlled substance laboratory involving methamphetamine. Offenders would receive a sentencing guidelines minimum sentence range from 0-18 months to 117-160 months. Local units of government would incur the cost of incarceration in a local facility, which varies by county. The State would incur the cost of felony probation at an average annual cost of \$1,750, as well as the cost of incarceration in a State facility at an average annual cost of \$27,000. For each offender who was convicted, was sent to prison, and received the longest allowable minimum sentence, it would cost the State approximately \$360,000.

Public libraries would benefit from any additional penal fine revenue raised due to the proposed changes.

Date Completed: 10-20-03

Fiscal Analyst: Bethany Wicksall