



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 915 (Substitute S-1 as reported)
Senate Bill 916 (Substitute S-1 as reported)
Sponsor: Senator Tom George
Committee: Judiciary

CONTENT

Senate Bill 915 (S-1) would amend the Probate Code of 1939 to do the following:

- Require a petitioner for a legal name change to be a citizen of the United States.
- Specify that the petitioner would have the burden of proving that he or she was a U.S. citizen and had been a resident of the county where he or she sought the name change for at least one year.
- Require an individual who petitioned to have his or her name changed and who was 18 years of age or older, rather than 22 or older, to provide two sets of fingerprints for a State and Federal criminal background check.

Senate Bill 916 (S-1) would amend the Code of Criminal Procedure to revise the sentencing guidelines designations for intentionally making a false statement in a name change petition, and committing repeat offenses involving unlawful placement of a child for adoption or the violation of a court order regarding a child by a nonparent adult.

The bills are tie-barred and would take effect 90 days after their enactment.

MCL 711.1 (S.B. 915)
777.15f (S.B. 916)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many more offenders, if any, would be convicted of intentionally including a false statement in a name change petition, if citizenship were required. An offender convicted of the Class E offense would receive a sentencing guidelines minimum sentence range of 0-3 months to 24-38 months. To the extent that the bills resulted in increased convictions, local governments would incur increased costs of incarceration in local facilities, which vary by county. The State would incur the cost of felony probation at an annual average cost of \$2,000, as well as the cost of incarceration in a State facility at an average annual cost of \$33,000. Additional penal fine revenue would benefit public libraries.

The bills would have no fiscal impact on the judiciary. In 2006, 2,845 petitions for name changes were filed. Costs associated with any increase in fingerprinting and background checks would be borne by the applicant.

Date Completed: 3-6-08

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Analysis available @ <http://www.michiganlegislature.org>

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.

