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House Bill 5335 (Substitute H-1 as passed by the House)

House Bill 5336 (Substitute H-1 as passed by the House)

Sponsor: Representative Bert Johnson (H.B. 5335)

Representative Tim Melton (H.B. 5336)

House Committee: Judiciary

Senate Committee: Judiciary

Date Completed: 12-3-08

### **CONTENT**

House Bill 5335 (H-1) would amend the Michigan Penal Code to prohibit a person from stealing copper wire or offering to sell stolen copper wire. A violation would be a felony punishable by up to five years' imprisonment and/or a maximum fine of \$5,000.

House Bill 5336 (H-1) would amend the Code of Criminal Procedure to include larceny or resale of copper wire in the sentencing guidelines. The offense would be a Class E property felony with a statutory maximum sentence of five years' imprisonment.

House Bill 5336 (H-1) is tie-barred to House Bill 5335.

Proposed MCL 750.357c (H.B. 5335)

Legislative Analyst: Patrick Affholter

MCL 777.16r (H.B. 5336)

### **FISCAL IMPACT**

The bills would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of stealing copper wire or offering stolen copper wire for sale. An offender convicted of the Class E offense under the bills would receive a sentencing guidelines minimum sentence range of 0-3 months to 24-38 months. To the extent that the bills would result in increased incarceration time, local governments would incur increased costs of incarceration in local facilities, which vary by county. The State would incur increased costs of incarceration in a State facility at an average annual cost of \$32,000. Additional penal fine revenue would benefit public libraries.

Fiscal Analyst: Lindsay Hollander

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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.