



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 6107 (Substitute H-1 as reported without amendment)
House Bill 6108 (Substitute H-1 as reported without amendment)
Sponsor: Representative Kimberly LaSata (H.B. 6107)
Representative Jim Lilly (H.B. 6108)
House Committee: Election and Ethics
Senate Committee: Elections and Government Reform

CONTENT

House Bill 6107 (H-1) would amend the Michigan Election Law to do the following:

- Prohibit and prescribe misdemeanor penalties for providing false information on school board nominating petitions, petitions for constitutional amendments, qualifying petitions for a candidate without a party affiliation, new political party positions, and recall petitions.
- Prohibit and prescribe felony penalties for signing a petition with multiple names on school board nominating petitions, petitions for constitutional amendments, qualifying petitions for a candidate without a party affiliation, new political party positions, and recall petitions.

House Bill 6108 (H-1) would amend the sentencing guidelines in the Code of Criminal Procedure to include the proposed felonies as Class E offenses against the public trust with a statutory maximum of five years' imprisonment.

House Bill 6108 (H-1) is tie-barred to House Bill 6107.

MCL 168. 303 et al. (H.B. 6107)
777.11d (H.B. 6108)

Legislative Analyst: Nathan Leaman

FISCAL IMPACT

House Bill 6107 (H-1) could have a negative fiscal impact on State and local government. More misdemeanor and felony arrests and convictions could increase resources depends on law enforcement, court systems, community supervision, jails, and correctional facilities. The average cost to State government for felony probation supervision is approximately \$3,024 per probationer per year. For any increase in prisoner intakes, in the short term, the marginal cost to State government is approximately \$3,764 per prisoner per year. Any associated increase in fine revenue increases funding to public libraries.

House Bill 6108 (H-1) would have no fiscal impact on local government and an indeterminate fiscal impact on the State. According to the Michigan Supreme Court's July 2015 in *People v. Lockridge* (in which the Court struck down portions of the sentencing guidelines law), the sentencing guidelines are advisory for all cases. This means that the additions to the guidelines under the bill would not be compulsory for the sentencing judge. As penalties for felonies convictions vary, the fiscal impact of any given felony conviction depends on judicial decisions.

Date Completed: 12-3-18

Fiscal Analyst: Abbey Frazier

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Bill Analysis @ www.senate.michigan.gov/sfa

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.