



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 870 (as introduced 2-10-22)
Sponsor: Senator Jim Runestad
Committee: Judiciary and Public Safety

Date Completed: 5-25-22

CONTENT

The bill would amend the Michigan Penal Code to specify that an individual who possessed a computer or other technological device capable of programming a key code of a motor vehicle with intent to use it to steal money, other property, or a motor vehicle would be guilty of a felony.

The Code specifies that an individual who knowingly possesses any nitroglycerine, or other explosive, thermite, engine, machine, tool or implement, device, chemical or substance, adapted and designed for cutting or burning through, forcing or breaking open any building, room, vault, safe, or other depository, who knows that the item has been designed and adapted for the purposes of stealing, and who possesses the item with the intent to use it to steal any money or property is guilty of a felony, punishable by up to 10 years' imprisonment.

Under the bill, an individual who used an item described above, who knew that the item had been designed and adapted for the purposes of stealing, and who possessed the item with the intent to use it to steal a motor vehicle also would be guilty of a felony, punishable by up to 10 years' imprisonment.

Additionally, an individual who knowingly possessed a computer or other technological device capable of programming a key code for a motor vehicle, who knew that the item had been designed and adapted for the purpose of stealing, and who possessed the item with the intent to use it to steal any money, other property, or a motor vehicle would be guilty of a felony, punishable by up to 10 years' imprisonment.

The bill would take effect 90 days after its enactment.

MCL 750.116

Legislative Analyst: Stephen P. Jackson

FISCAL IMPACT

The bill would have a negative fiscal impact on State government in that it could increase the number of prisoners housed in State correctional institutions if there were increased convictions under the proposed changes to the Code. The average annual cost to house a prisoner, which includes annualized fixed costs and all costs related to housing, feeding, and medical treatment averages \$43,000 per prisoner. The number of potential offenders that could be incarcerated under the bill is indeterminate. Additionally, if probation were offered in place of incarceration for the proposed offenses, the average cost to State government for felony probation supervision is approximately \$4,300 per probationer per year.

Fiscal Analyst: Joe Carrasco, Jr.

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