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House Bill 4071 (Substitute H-4 as reported without amendment)  
House Bill 4072 (as reported without amendment)  
Sponsor: Representative Bronna Kahle  
House Committee: Families, Children, and Seniors  
Judiciary  
Senate Committee: Judiciary and Public Safety

### **CONTENT**

House Bill 4071 (H-4) would amend the Michigan Penal Code to prescribe enhanced penalties for an individual convicted of a first offense second-, third-, or fourth-degree child abuse if the victim were a vulnerable child. "Vulnerable child" would mean an individual who is less than 18 years of age, who is not emancipated by operation of law, and who has a developmental disability, mental illness, or physical disability, or is nonverbal.

House Bill 4072 would amend the sentencing guidelines in the Code of Criminal Procedure to include the felonies prescribed in House Bill 4071 (H-4).

House Bill 4072 is tie-barred to House Bill 4071. Each bill would take effect 90 days after its enactment.

MCL 750.136b (H.B. 4071)  
777.16g (H.B. 4072)

Legislative Analyst: Stephen P. Jackson

### **FISCAL IMPACT**

House Bill 4071 (H-4) could have a negative fiscal impact on the State relative to the number of individuals convicted under the proposed language. Longer sentences mean more costs for the Department of Corrections, as the average cost per year to incarcerate an individual was over \$42,000 as of 2020. Annual costs for parole and felony probation averaged \$4,300 that same year. Any increased costs would depend on the number of new sentences after the increased penalties took effect. The penalty and, therefore, the cost to the Department, for a second- or third-degree conviction would increase 50% (from 10 years and two years to 15 years and three years, respectively). The penalty for a fourth-degree conviction would increase from one year (misdemeanor) to two years (felony); this would mean fourth-degree offenders would serve their sentences in prison instead of jail.

House Bill 4072 would have no fiscal impact on State or local government, as it would codify House Bill 4071 (H-4)'s proposed changes within the State's sentencing guidelines.

Date Completed: 12-6-22

Fiscal Analyst: Michael Siracuse