



Senate Fiscal Agency  
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## BILL ANALYSIS



Telephone: (517) 373-5383  
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House Bills 4917 and 4918 (Substitute S-1 as reported)  
Sponsor: Representative Samantha Steckloff  
House Committee: Criminal Justice  
Senate Committee: Civil Rights, Judiciary, and Public Safety

**CONTENT**

House Bill 4918 (S-1) would amend Chapter 14 (Assaults) of the Michigan Penal Code to do the following:

- Prescribe a misdemeanor punishable by a maximum of 93 days' imprisonment or a maximum fine of \$1,000, or both, for assaulting or assaulting and battering a public transit operator.
- Prescribe a misdemeanor punishable by a maximum of one year's imprisonment or a maximum fine of \$2,000, or both, for assaulting a public transit operator with a weapon inflicting serious or aggravated injury without intending to commit murder or to inflict great bodily harm.
- Prescribe a felony punishable by a maximum of four years' imprisonment or a maximum fine of \$4,000, or both, for assaulting a public transit operator with a weapon without intending to commit murder or to inflict great bodily harm.
- Prescribe more significant penalties for subsequent violations of the bill.
- Require a public transit owner to post a sign in a prominent and visible location that conveyed that a person who violated the bill's provisions could be subject to prosecution and enhanced penalties.

House Bill 4917 (S-1) would amend the sentencing guidelines of the Code of Criminal Procedure to include felonies proposed by House Bill 4918 (S-1).

House Bill 4917 is tie-barred to House Bill 4918. Each bill would take effect 90 days after its enactment.

MCL 777.16d (H.B. 4917)  
Proposed MCL 750.81g (H.B. 4918)

**BRIEF RATIONALE**

Public transit operators ensure reliable and safe access to transportation throughout the State. According to testimony before the Senate Committee on Civil Rights, Judiciary, and Public Safety, violence against public transportation workers has increased in number and severity since the COVID-19 Pandemic. Attacks on public transit operations not only affect the operator but due to the operation of heavy machinery can endanger passengers and bystanders. Reportedly, the current penalties are an insufficient deterrent and do not provide clear enough instruction for prosecutors to protect transit workers sufficiently. It has been suggested to impose enhanced penalties on those who assault public transit operators.

Legislative Analyst: Eleni Lionas

## **FISCAL IMPACT**

### **House Bill 4917 (S-1)**

The bills would have no fiscal impact on local government and an indeterminate fiscal impact on the State, in light of the Michigan Supreme Court's July 2015 opinion in *People v. Lockridge*, in which the Court ruled that the sentencing guidelines are advisory for all cases. This means that the addition to the guidelines under the bill would not be compulsory for the sentencing judge. As penalties for felony convictions vary, the fiscal impact of any given felony conviction depends on judicial decisions.

### **House Bill 4918 (S-1)**

The bills' criminal penalties could have a negative fiscal impact on the State and local government. Violations of the proposed Act would be punishable as misdemeanors and felonies of different severity. More misdemeanor and felony arrests and convictions could increase resource demands on law enforcement, court systems, community supervision, jails, and correctional facilities. Misdemeanor convictions could increase county jail and local probation supervision costs, which vary by jurisdiction and are thus indeterminate. Based on 2023 data, the average cost to State government for felony probation supervision is approximately \$4,600 per probationer per year. For any increase in prison intakes the average annual cost of housing a prisoner in a State correctional facility is an estimated \$48,700. Per diem rates range from \$100 to \$431 per day (average per diem is \$135), depending on the security level of the facility. Additionally, any associated fine revenue would increase funding to public libraries. The bill also would increase costs, though likely insignificant, for local governmental units by requiring signage stating that a person who assaulted the operator would be in violation of the law.

Date Completed: 6-24-24

Fiscal Analyst: Bobby Canell  
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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.