



Senate Fiscal Agency  
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## BILL ANALYSIS

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House Bill 4945 (as passed by the House)  
Sponsor: Representative Amos O'Neal  
House Committee: Criminal Justice  
Senate Committee: Committee of the Whole

Date Completed: 11-2-23

### **CONTENT**

The bill would amend the Code of Criminal Procedure to change the word "felon" in the following sentencing guidelines for felonies to "prohibited person":

- Possession or sale of firearm by a *felon*, which is a Class E violation of public safety, with a statutory maximum sentence of five years' imprisonment.
- Possession or sale of ammunition by a *felon*, a Class E violation of public safety, with a statutory maximum sentence of five years' imprisonment.

The bill is tie-barred to House Bill 4946, which would prohibit a person convicted of specified misdemeanors involving domestic violence from possessing, using, or transferring a firearm or ammunition for eight years after they have paid any fines, served any imprisonment, and completed any conditions of parole or probation for the violation.

MCL 777.16m

Legislative Analyst: Tyler P. VanHuyse

### **FISCAL IMPACT**

The bill could have a negative fiscal impact on the State and local government. The bill would add a person convicted of a misdemeanor involving domestic violence to the list of persons who are not allowed to possess, use, transport, sell, purchase, carry, ship, receive, or distribute a firearm or ammunition until certain conditions outlined in the bill have been met. Violations of the proposed provisions would add new felony arrests and convictions and could increase resource demands on law enforcement, court systems, community supervision, jails, and correctional facilities; however, it is unknown how many people would be prosecuted under provisions of the bill. The average cost to State government for felony probation supervision is approximately \$4,200 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 \$45,700. Per diem rates range from \$98 to \$192 per day, depending on the security level of the facility. Any associated increase in fine revenue would increase funding to public libraries.

Fiscal Analyst: Joe Carrasco, Jr.

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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.