



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 505 (as discharged)
Sponsor: Senator Dayna Polehanki
Committee: Elections and Ethics (discharged)

CONTENT

The bill would add sentencing guidelines in the Code of Criminal Procedure for felonies proposed by House Bill 4129 (H-1). Senate Bill 505 would prescribe a Class E felony against a person for a third or subsequent offense of intimidating an election official or preventing an election official from performing the election official's duties. The felony would have a statutory maximum sentence of five years' imprisonment.

The bill is tie-barred to House Bill 4129.

MCL 777.11d

Legislative Analyst: Abby Schneider

FISCAL IMPACT

The bill 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.

Date Completed: 11-2-23

Fiscal Analyst: Joe Carrasco, Jr.