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## SENTENCING GUIDELINES AMENDMENTS

### House Bill 4640

**Sponsor: Rep. Jennifer Faunce**  
**Committee: Criminal Law and  
Corrections**

**Complete to 5-17-99**

### A SUMMARY OF HOUSE BILL 4640 AS INTRODUCED 5-6-99

The bill would amend the statutory sentencing guidelines provisions of the Code of Criminal Procedure to:

- clarify that it would not be considered a departure from guidelines to impose a mandatory sentence that exceeded the recommended range but was less than the mandatory minimum sentence;
- decrease the number of points (from 25 to 5) assigned under offense variable 13 (continuing pattern of criminal behavior) for an offense that was part of a pattern of felonious criminal activity involving 3 or more crimes against property;
- under offense variable 16 (property obtained, damaged, lost, or destroyed), remove language that limits points assigned based upon the value of the "destroyed" property, and clarify that the points would be based on the value of the property involved in the crime, even if the property was not destroyed; and
- clarify the language regarding visible impairment from the use of intoxicating liquor or a controlled substance or a combination thereof.

MCL 769.34, 777.31, 777.43, 777.46, and 777.48

Analyst: W. Flory

House Bill 4640 (5-17-99)

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.