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PROHIBIT BUYING OR SELLING OF MINORS OR VULNERABLE ADULTS

House Bills 5764 and 5765

Sponsor: Rep. William Callahan

Committee: Criminal Law and Corrections

Complete to 8-28-00

A SUMMARY OF HOUSE BILLS 5764 AND 5765 AS INTRODUCED 5-10-00

House Bill 5764 would amend the Michigan Penal Code (MCL 750.136c) to prohibit the sale or purchase of any individual who was under the age of 18 or was a vulnerable adult. A vulnerable adult would mean an individual who is 18 years old or older who, because of age, developmental disability, mental illness, or physical disability, requires supervision or personal care or lacks the personal and social skills required to live independently; or was placed in an adult foster care family home or an adult foster care small group home pursuant to the Adult Foster Care Facility Licensing Act; or a person not less than 18 years of age who is suspected of being or believed to be abused, neglected, or exploited as defined in the Social Welfare Act. It would also be illegal to acquire or attempt to acquire legal or physical custody of any such individuals by payment of money or other valuable consideration, except as otherwise provided by law. Violation of the bill's provisions would be punishable by imprisonment for up to 15 years, a fine of up to \$75,000, or both.

House Bill 5765 would amend the Code of Criminal Procedure's (MCL 777.16g) statutory sentencing guidelines to include the buying or selling of an individual who was a vulnerable adult or under the age of 18. The crime would be a class C crime against a person with a 15-year statutory maximum. The bill would not take effect unless House Bill 5764 were also enacted.

House Bills 5764 and 5765 (8-28-00)

Analyst: W. Flory

■ 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.