

SENATE BILL No. 1371

September 26, 2000, Introduced by Senators GOUGEON, HAMMERSTROM, JOHNSON and SHUGARS and referred to the Committee on Families, Mental Health and Human Services.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 217e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 SEC. 217E. (1) AN INDIVIDUAL WHO IS NOT EMPLOYED BY THE
2 FAMILY INDEPENDENCE AGENCY SHALL NOT INFORM ANOTHER INDIVIDUAL OR
3 REPRESENT TO ANOTHER INDIVIDUAL BY IDENTIFICATION OR ANY OTHER
4 MEANS THAT HE OR SHE IS EMPLOYED BY THE FAMILY INDEPENDENCE
5 AGENCY WITH INTENT TO DO 1 OR MORE OF THE FOLLOWING:
- 6 (A) GAIN OR ATTEMPT TO GAIN ENTRY TO A RESIDENCE, BUILDING,
7 STRUCTURE, FACILITY, OR OTHER PROPERTY.
- 8 (B) REMAIN OR ATTEMPT TO REMAIN IN OR UPON A RESIDENCE,
9 BUILDING, STRUCTURE, FACILITY, OR OTHER PROPERTY.
- 10 (C) GAIN OR ATTEMPT TO GAIN ACCESS TO FINANCIAL ACCOUNT
11 INFORMATION.

SB 1371, As Passed Senate, November 13, 2000

Senate Bill 1371 as amended November 9, 2000

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1 (D) COMMIT OR ATTEMPT TO COMMIT A CRIME.

2 (E) OBTAIN OR ATTEMPT TO OBTAIN INFORMATION TO WHICH THE
3 INDIVIDUAL IS NOT ENTITLED UNDER SECTION 7 OF THE CHILD PROTEC-
4 TION LAW, 1975 PA 238, MCL 722.627.

5 (F) GAIN ACCESS OR ATTEMPT TO GAIN ACCESS TO A PERSON UNDER
6 THE AGE OF 18 OR A VULNERABLE ADULT. AS USED IN THIS SUBDIVI-
7 SION, "VULNERABLE ADULT" MEANS AN INDIVIDUAL AGE 18 OR OLDER WHO,
8 BECAUSE OF AGE, DEVELOPMENTAL DISABILITY, MENTAL ILLNESS, OR DIS-
9 ABILITY, WHETHER OR NOT DETERMINED BY A COURT TO BE AN INCAPACI-
10 TATED INDIVIDUAL IN NEED OF PROTECTION, LACKS THE COGNITIVE
11 SKILLS REQUIRED TO MANAGE HIS OR HER PROPERTY.

12 (2) AN INDIVIDUAL WHO VIOLATES SUBSECTION (1) IS GUILTY OF A
13 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR A
14 FINE OF NOT MORE THAN \$1,000.00. OR BOTH.

Enacting section 1. This amendatory act does not take effect unless both of the following bills of the 90th Legislature are enacted into law:

- (a) Senate Bill No. 1373.
- (b) House Bill No. 4456.