

# HOUSE BILL No. 4325

February 21, 2001, Introduced by Rep. Bisbee and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 451 (MCL 750.451).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 451. (1) ~~Any person, male or female, who shall be~~  
2 ~~adjudged guilty of a violation of sections~~ EXCEPT AS PROVIDED IN  
3 SUBSECTION (2) OR (3), A PERSON WHO VIOLATES SECTION 448, 449,  
4 449a, or 450 ~~shall be punished~~ IS GUILTY OF A MISDEMEANOR  
5 PUNISHABLE by imprisonment ~~in the county jail~~ for not more than  
6 90 days or ~~by~~ a fine of not more than \$100.00, or both. ~~Any~~  
7 ~~person, male or female, 17 years of age or older, who shall be~~  
8 ~~adjudged guilty a second time of a violation of sections~~  
9       (2) A PERSON WHO VIOLATES SECTION 448, 449, 449a, or 450 ~~,~~  
10 ~~the offense being charged as a second offense, shall be~~ AND HAS  
11 1 PRIOR CONVICTION IS guilty of a misdemeanor ~~,~~ punishable by

HOUSE BILL No. 4325

1 imprisonment ~~in the county jail~~ for not more than 1 year or  
2 ~~by~~ a fine of not more than \$500.00, or both. ~~Any person, male~~  
3 ~~or female, adjudged guilty a third or any subsequent time of a~~  
4 ~~violation of sections~~

5 (3) A PERSON WHO VIOLATES SECTION 448, 449, 449a, or 450 ~~,~~  
6 ~~the offense being charged as a third or subsequent offense, shall~~  
7 ~~be~~ AND HAS 2 OR MORE PRIOR CONVICTIONS IS guilty of a felony ~~,~~  
8 punishable by imprisonment ~~in the state prison~~ for not more  
9 than 2 years.

10 (4) SUBSECTIONS (2) AND (3) DO NOT APPLY UNLESS THE PERSON  
11 IS CHARGED WITH HAVING THE PRIOR CONVICTIONS.

12 (5) AS USED IN THIS SECTION, "PRIOR CONVICTION" MEANS A CON-  
13 VICTION FOR A VIOLATION OR ATTEMPTED VIOLATION OF SECTION 448,  
14 449, 449A, OR 450 OR A LAW OF ANOTHER STATE OR POLITICAL SUBDIVI-  
15 SION OF THIS STATE OR ANOTHER STATE SUBSTANTIALLY CORRESPONDING  
16 TO SECTION 448, 449, 449A, OR 450.