

Act No. 43  
Public Acts of 2002  
Approved by the Governor  
March 13, 2002  
Filed with the Secretary of State  
March 14, 2002  
EFFECTIVE DATE: March 14, 2002

**STATE OF MICHIGAN  
91ST LEGISLATURE  
REGULAR SESSION OF 2002**

Introduced by Senator Schuette

**ENROLLED SENATE BILL No. 180**

AN ACT to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 451 (MCL 750.451).

*The People of the State of Michigan enact:*

Sec. 451. (1) A person who violates section 448, 449, 449a, or 450 shall be punished by imprisonment for not more than 90 days or by a fine of not more than \$100.00, or both. A person who violates section 448, 449, 449a, or 450 and has a prior conviction is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$500.00, or both. A person who violates section 448, 449, 449a, or 450 and has 2 or more prior convictions is guilty of a felony punishable by imprisonment for not more than 2 years.

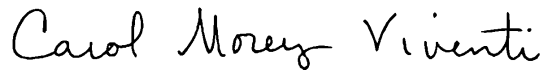
(2) A prior conviction shall be established at sentencing by 1 or more of the following:

- (a) An abstract of conviction.
- (b) An admission by the defendant.

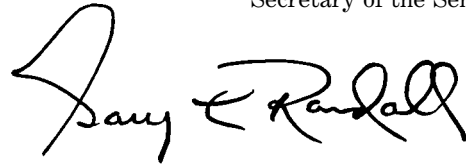
(3) As used in this section, "prior conviction" means a violation of section 448, 449, 449a, or 450 or a local ordinance substantially corresponding to section 448, 449, 449a, or 450.

Enacting section 1. This amendatory act takes effect June 1, 2001.

This act is ordered to take immediate effect.



Secretary of the Senate.



Clerk of the House of Representatives.

Approved .....

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Governor.