

HOUSE BILL No. 5540

May 6, 2014, Introduced by Reps. Durhal, Tlaib, Brunner, Smiley, Cavanagh, Phelps, Townsend, Faris, Rutledge, Lipton, Hovey-Wright, Robinson, Heise, Stallworth, Lori, Jacobsen, Victory, Potvin, Stanley, Talabi and Greimel and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 377d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 377D. (1) A PERSON WHO WILLFULLY AND MALICIOUSLY DAMAGES,**
2 **DESTROYS, INJURES, DEFACTS, DISMANTLES, OR REMOVES A TRAFFIC**
3 **CONTROL DEVICE, LIGHT POST, SIGN, OR OTHER DEVICE PLACED BY THIS**
4 **STATE OR BY A LOCAL UNIT OF GOVERNMENT OF THIS STATE FOR THE**
5 **PURPOSE OF REGULATING VEHICLE TRAFFIC, MAINTAINING HIGHWAY SAFETY,**
6 **OR PROVIDING INFORMATION TO MOTOR VEHICLE OPERATORS IS GUILTY OF A**
7 **CRIME AS FOLLOWS:**

8 **(A) EXCEPT AS PROVIDED IN SUBDIVISIONS (B) AND (C), THE PERSON**
9 **IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE**
10 **THAN 1 YEAR OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.**

1 (B) A PERSON WHO VIOLATES THIS SECTION AND HAS 1 PRIOR
2 CONVICTION FOR VIOLATING THIS SECTION IS GUILTY OF A MISDEMEANOR
3 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF
4 NOT MORE THAN \$1,000.00, OR BOTH.

5 (C) A PERSON WHO VIOLATES THIS SECTION AND HAS 2 OR MORE PRIOR
6 CONVICTIONS FOR VIOLATING THIS SECTION IS GUILTY OF A MISDEMEANOR
7 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF
8 NOT MORE THAN \$10,000.00, OR BOTH.

9 (2) THIS SECTION DOES NOT PROHIBIT AN INDIVIDUAL FROM BEING
10 CHARGED WITH, CONVICTED OF, OR SENTENCED FOR ANY OTHER VIOLATION OF
11 LAW COMMITTED BY THE INDIVIDUAL IN LIEU OF BEING CHARGED WITH,
12 CONVICTED OF, OR SENTENCED FOR THE VIOLATION OF THIS SECTION.