

HOUSE BILL NO. 5608

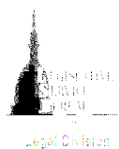
March 10, 2020, Introduced by Reps. Guerra and Filler and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 16g of chapter XVII (MCL 777.16g), as amended
by 2018 PA 374.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XVII

Sec. 16g. (1) This chapter applies to the following felonies
enumerated in chapter 750 of the Michigan Compiled Laws:



1	M.C.L.	Category	Class	Description	Stat Max
2	750.135	Person	D	Exposing children with	10
3				intent to injure or	
4				abandon	
5	750.135a (2) (c)	Person	D	Leaving child	10
6				unattended in vehicle	
7				resulting in serious	
8				physical harm	
9	750.135a (2) (d)	Person	B	Leaving child	15
10				unattended in vehicle	
11				resulting in death	
12	750.136	Person	B	Female genital	15
13				mutilation violation	
14	750.136a	Person	B	Transporting person	15
15				for purpose of female	
16				genital mutilation	
17	750.136b (2)	Person	A	First degree child	Life
18				abuse	
19	750.136b (4) (a)	Person	C	Second degree child	10
20				abuse – first offense	
21	750.136b (4) (b)	Person	B	Second degree child	20
22				abuse – second or	
23				subsequent offense	
24	750.136b (6)	Person	G	Third degree child	2
25				abuse	
26	750.136c	Person	B	Buying or selling an	20
27				individual	



1	750.136d(1) (a)	Person	A	First degree child	Life
2				abuse in presence of	
3				another child	
4	750.136d(1) (b)	Person	D	Second degree child	10
5				abuse in presence of	
6				another child - first	
7				offense	
8	750.136d(1) (c)	Person	B	Second degree child	20
9				abuse in presence of	
10				another child - second	
11				or subsequent offense	
12	750.136d(1) (d)	Person	G	Third degree child	2
13				abuse in presence of	
14				another child	
15	750.145a	Person	F	Soliciting child to	4
16				commit an immoral act	
17	750.145b	Person	D	Accosting children for	10
18				immoral purposes with	
19				prior conviction	
20				Soliciting child to	
21				commit an immoral act	
22				- second or subsequent	
23				offense	
24	750.145c(2) (a)	Person	B	Producing child	20
25				sexually abusive	
26				activity or material	



1	750.145c (2) (b)	Person	B	Aggravated producing	25
2				of child sexually	
3				abusive activity or	
4				material	
5	750.145c (3) (a)	Person	D	Distributing,	7
6				promoting, or	
7				financing the	
8				distribution of child	
9				sexually abusive	
10				activity or material	
11	750.145c (3) (b)	Person	C	Aggravated	15
12				distributing,	
13				promoting, or	
14				financing the	
15				distribution of child	
16				sexually abusive	
17				activity or material	
18	750.145c (4) (a)	Person	F	Possessing child	4
19				sexually abusive	
20				material	
21	750.145c (4) (b)	Person	B	Aggravated possession	10
22				of child sexually	
23				abusive material	



1	750.145d(2) (b)	Variable	G	Using internet or	2
2				computer to commit	
3				crime punishable by a	
4				maximum term of	
5				imprisonment of at	
6				least 1 year but less	
7				than 2 years	
8	750.145d(2) (c)	Variable	F	Using internet or	4
9				computer to commit	
10				crime punishable by a	
11				maximum term of	
12				imprisonment of at	
13				least 2 years but less	
14				than 4 years	
15	750.145d(2) (d)	Variable	D	Using internet or	10
16				computer to commit	
17				crime punishable by a	
18				maximum term of	
19				imprisonment of at	
20				least 4 years but less	
21				than 10 years	
22	750.145d(2) (e)	Variable	C	Using internet or	15
23				computer to commit	
24				crime punishable by a	
25				maximum term of	
26				imprisonment of at	
27				least 10 years but	
28				less than 15 years	



1	750.145d(2) (f)	Variable	B	Using internet or	20
2				computer to commit	
3				crime punishable by a	
4				maximum term of	
5				imprisonment of at	
6				least 15 years or for	
7				life	
8	750.145h(6)	Person	F	Dissemination of	4
9				certain sexually	
10				explicit material -	
11				second or subsequent	
12				offense	
13	750.145n(1)	Person	C	First degree	15
14				vulnerable adult abuse	
15	750.145n(2)	Person	F	Second degree	4
16				vulnerable adult abuse	
17	750.145n(3)	Person	G	Third degree	2
18				vulnerable adult abuse	
19	750.145o	Person	E	Death of vulnerable	5
20				adult caused by	
21				unlicensed caretaker	
22	750.145p(1)	Person	G	Commingle funds of,	2
23				obstructing	
24				investigation	
25				regarding, or filing	
26				false information	
27				regarding, vulnerable	
28				adult	



1	750.145p(2)	Person	G	Retaliation or	2
2				discrimination by	
3				caregiver against	
4				vulnerable adult	
5	750.145p(5)	Person	E	Caregiver or licensee	5
6				violation against	
7				vulnerable adult –	
8				second or subsequent	
9				offense	
10	750.147b	Person	G	Ethnic intimidation	2

11 (2) For a violation of section 145d of the Michigan penal
 12 code, 1931 PA 328, MCL 750.145d, determine the offense category,
 13 offense variable level, and prior record variable level based on
 14 the underlying offense.

15 Enacting section 1. This amendatory act takes effect 90 days
 16 after the date it is enacted into law.

17 Enacting section 2. This amendatory act does not take effect
 18 unless Senate Bill No. ____ or House Bill No. 5607(request no.
 19 00213'19) of the 100th Legislature is enacted into law.

