

HOUSE BILL NO. 5900

June 24, 2020, Introduced by Rep. Afendoulis and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 543b (MCL 750.543b), as added by 2002 PA 113,
and by adding section 543g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 543b. As used in this chapter:
- 2 (a) "Act of social and domestic anarchy" means an act that is
- 3 all of the following:
- 4 (i) An act that would be a violent felony under the laws of
- 5 this state.



1 (ii) An act that the person knows or has reason to know is
2 dangerous to human life or destructive to property.

3 (iii) An act that is intended to intimidate or coerce a civilian
4 population or influence or affect the conduct of government or a
5 unit of government through intimidation or coercion.

6 (b) ~~(a)~~—"Act of terrorism" means a willful and deliberate act
7 that is all of the following:

8 (i) An act that would be a violent felony under the laws of
9 this state, whether or not committed in this state.

10 (ii) An act that the person knows or has reason to know is
11 dangerous to human life.

12 (iii) An act that is intended to intimidate or coerce a civilian
13 population or influence or affect the conduct of government or a
14 unit of government through intimidation or coercion.

15 (c) ~~(b)~~—"Dangerous to human life" means that which causes a
16 substantial likelihood of death or serious injury or that is a
17 violation of section 349 or 350.

18 (d) ~~(e)~~—"Harmful biological substance", "harmful biological
19 device", "harmful chemical substance", "harmful chemical device",
20 "harmful radioactive material", and "harmful radioactive device"
21 mean those terms as defined in section 200h.

22 (e) ~~(d)~~—"Material support or resources" means currency or
23 other financial securities, financial services, lodging, training,
24 safe houses, false documentation or identification, communications
25 equipment, facilities, weapons, lethal substances, explosives,
26 personnel, transportation, including any related physical assets or
27 intangible property, or expert services or expert assistance.

28 (f) ~~(e)~~—"Person" means an individual, agent, association,
29 charitable organization, corporation, joint apprenticeship



1 committee, joint stock company, labor organization, legal
2 representative, mutual company, partnership, receiver, trust,
3 trustee, trustee in bankruptcy, unincorporated organization, or any
4 other legal or commercial entity.

5 **(g)** ~~(f)~~—"Renders criminal assistance" means that the person
6 with the intent to avoid, prevent, hinder, or delay the discovery,
7 apprehension, prosecution, trial, or sentencing of a person who he
8 or she knows or has reason to know has violated this chapter or is
9 wanted as a material witness in connection with an act of terrorism
10 pursuant to section 39 of chapter VII of the code of criminal
11 procedure, 1927 PA 175, MCL 767.39, does any of the following:

12 **(i)** Harbors or conceals that other person.

13 **(ii)** Warns that other person of impending discovery or
14 apprehension.

15 **(iii)** Provides that other person with money, transportation, a
16 weapon, a disguise, or false identification, or any other means of
17 avoiding discovery or apprehension.

18 **(iv)** Prevents or obstructs, by means of force, intimidation, or
19 deception, anyone from performing an act that might aid in the
20 discovery, apprehension, or prosecution of that other person.

21 **(v)** Suppresses, by any act of concealment, alteration, or
22 destruction, any physical evidence that might aid in the discovery,
23 apprehension, or prosecution of that other person.

24 **(vi)** Engages in conduct proscribed under section 120, 120a, or
25 122 or chapter XXXII.

26 **(h)** ~~(g)~~—"Terrorist" means any person who engages or is about
27 to engage in an act of terrorism.

28 **(i)** ~~(h)~~—"Violent felony" means a felony in which an element is
29 the use, attempted use, or threatened use of physical force against



1 an individual, or the use, attempted use, or threatened use of a
2 harmful biological substance, a harmful biological device, a
3 harmful chemical substance, a harmful chemical device, a harmful
4 radioactive substance, a harmful radioactive device, an explosive
5 device, or an incendiary device.

6 **Sec. 543g. (1) A person who commits an act of social and**
7 **domestic anarchy is guilty of a felony punishable by imprisonment**
8 **for not more than 20 years or a fine of not more than \$250,000.00**
9 **or 3 times the value of the property damaged or destroyed by the**
10 **act of social and domestic anarchy, whichever is greater, or both**
11 **imprisonment and a fine.**

12 **(2) An individual who is a victim of a violation of this**
13 **section has a civil cause of action against the responsible party**
14 **for treble damages.**

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

