

HOUSE BILL NO. 6215

September 15, 2020, Introduced by Reps. Yancey, LaGrand, Stone and Peterson and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 22 of chapter XVII (MCL 777.22), as amended by
2003 PA 134, and by adding section 49b to chapter XVII.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XVII

1
2 Sec. 22. (1) For all crimes against a person, score offense
3 variables 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 19, and 20.



1 Score offense variables 5 and 6 for homicide, attempted homicide,
2 conspiracy or solicitation to commit a homicide, or assault with
3 intent to commit murder. Score offense variable 16 under this
4 subsection for a violation or attempted violation of section 110a
5 of the Michigan penal code, 1931 PA 328, MCL 750.110a. Score
6 offense variables 17 and 18 if the offense or attempted offense
7 involves the operation of a vehicle, vessel, ORV, snowmobile,
8 aircraft, or locomotive.

9 (2) For all crimes against property, score offense variables
10 1, 2, 3, 4, 9, 10, 12, 13, 14, 16, 19, and 20.

11 (3) For all crimes involving a controlled substance, score
12 offense variables 1, 2, 3, 12, 13, 14, 15, 19, and 20.

13 (4) For all crimes against public order and all crimes against
14 public trust, score offense variables 1, 3, 4, 9, 10, 12, 13, 14,
15 16, 19, and 20.

16 (5) For all crimes against public safety, score offense
17 variables 1, 3, 4, 9, 10, 12, 13, 14, 16, 19, and 20. Score offense
18 variable 18 if the offense or attempted offense involves the
19 operation of a vehicle, vessel, ORV, snowmobile, aircraft, or
20 locomotive.

21 (6) **For all crimes to which it is applicable to the facts of**
22 **the case, the court may, in its discretion, score offense variable**
23 **21. Offense variable 21 must be scored after the scoring of offense**
24 **variables 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,**
25 **17, 18, 19, and 20.**

26 **Sec. 49b. Offense variable 21 is acceptance of responsibility.**
27 **The court may score offense variable 21 by determining if either of**
28 **the following applies and by reducing the defendant's offense**
29 **variable score by the highest number of points that the court**



1 considers appropriate under offense variable 21:

2 (a) The defendant has pleaded guilty before trial in the
3 matter to the offense or offenses as charged, or to a reduced or
4 amended charge or charges as offered by the prosecution
5subtract 5 points

6 (b) The defendant has apologized to a victim of the offense
7 and that victim requests that court to reduce the defendant's
8 offense variable score.....subtract 5 points

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

