

HOUSE BILL NO. 6220

September 15, 2020, Introduced by Reps. Whiteford, LaGrand 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 49c to chapter XVII.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

CHAPTER XVII

2

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

3

4

Score offense variables 5 and 6 for homicide, attempted homicide,



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

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

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

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

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

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

25 **Sec. 49c. Offense variable 22 is evidence of rehabilitation.**
26 **The court may score offense variable 22 by determining if any of**
27 **the following apply and by reducing the defendant's offense**
28 **variable score by the highest number of points that the court**
29 **considers appropriate under offense variable 22:**



1 (a) The defendant has actively sought and is
2 receiving mental health treatment.....subtract 5 points

3 (b) The defendant has sought and is receiving
4 mental health treatment and presents strong evidence
5 that he or she is taking actions to address any mental
6 health issues he or she may have.....subtract 10 points

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

