

HOUSE BILL NO. 6222

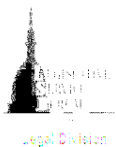
September 15, 2020, Introduced by Reps. Mueller, LaGrand, Stone and Peterson and referred to the Committee on Judiciary.

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 49e to chapter XVII.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XVII

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.



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

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

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

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

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

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

Sec. 49e. Offense variable 24 is voluntary payment of restitution. The court may score offense variable 24 by determining if either of the following applies and by reducing the defendant's offense variable score by the highest number of points that the



1 court considers appropriate under offense variable 24:

2 (a) The defendant has filled out a form attesting
 3 to his or her financial condition and provided that form
 4 to the court and has made a substantial effort to
 5 provide restitution to any victim to whom restitution is
 6 owed taking into account the defendant's financial
 7 abilities..... subtract 5 points

8 (b) The defendant has filled out a form attesting
 9 to his or her financial condition and provided that form
 10 to the court and has made substantial progress toward
 11 providing complete restitution to any victim to whom
 12 restitution is owed..... subtract 10 points

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

