

## SUBSTITUTE FOR

HOUSE BILL NO. 5235

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 16w of chapter XVII (MCL 777.16w), as amended  
by 2010 PA 361.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

## 1 CHAPTER XVII

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

4	M.C.L.	Category	Class	Description	Stat Max
5	750.451	Pub ord	G	Prostitution – various offenses – third or subsequent offense	2
6	750.452	Pub ord	E	Keeping a house of prostitution	5

1	750.455	Pub ord	G	Pandering	20
2	750.456	Person	B	Placing spouse into prostitution	20
3	750.457	Pub ord	G	Accepting earnings of a prostitute	20
4	750.458	Person	B	Prostitution – detaining female for debt	20
5	750.459	Person	B	Transporting a female for prostitution	20
6	<del>750.462b(1)</del>	<del>Person</del>	<del>D</del>	<del>Human trafficking—forced labor through physical harm</del>	<del>10</del>
7	<del>750.462b(2)</del>	<del>Person</del>	<del>C</del>	<del>Human trafficking—forced labor through physical harm causing injury</del>	<del>15</del>
8	<del>750.462b(3)</del>	<del>Person</del>	<del>A</del>	<del>Human trafficking—forced labor through physical harm causing death</del>	<del>Life</del>
9	<del>750.462c(1)</del>	<del>Person</del>	<del>D</del>	<del>Human trafficking—forced labor through physical restraint</del>	<del>10</del>
10	<del>750.462c(2)</del>	<del>Person</del>	<del>C</del>	<del>Human trafficking—forced labor through physical restraint causing injury</del>	<del>15</del>
11	<del>750.462c(3)</del>	<del>Person</del>	<del>A</del>	<del>Human trafficking—forced labor through physical restraint causing death</del>	<del>Life</del>
12	<del>750.462d(1)</del>	<del>Person</del>	<del>D</del>	<del>Human trafficking—forced labor through abuse of legal process</del>	<del>10</del>

1	<del>750.462d(2)</del>	Person	C	<del>Human trafficking— forced labor through abuse of legal process causing injury</del>	<del>15</del>
2	<del>750.462d(3)</del>	Person	A	<del>Human trafficking— forced labor through abuse of legal process causing death</del>	<del>Life</del>
3	<del>750.462e(1)</del>	Person	D	<del>Human trafficking— forced labor through destruction of ID document</del>	<del>10</del>
4	<del>750.462e(2)</del>	Person	C	<del>Human trafficking— forced labor through destruction of ID document causing injury</del>	<del>15</del>
5	<del>750.462e(3)</del>	Person	A	<del>Human trafficking— forced labor through destruction of ID document causing death</del>	<del>Life</del>
6	<del>750.462f(1)</del>	Person	D	<del>Human trafficking— forced labor through blackmail</del>	<del>10</del>
7	<del>750.462f(2)</del>	Person	C	<del>Human trafficking— forced labor through blackmail causing injury</del>	<del>15</del>
8	<del>750.462f(3)</del>	Person	A	<del>Human trafficking— forced labor through blackmail causing death</del>	<del>Life</del>
9	<del>750.462g(1)</del>	Person	B	<del>Human trafficking— obtain minor for child sexual abusive activity</del>	<del>20</del>

1	<del>750.462h(2)</del>	Person	D	<del>Human trafficking— recruit minor for forced labor</del>	<del>10</del>
2	<del>750.462h(3)</del>	Person	C	<del>Human trafficking— recruit minor for forced labor causing injury</del>	<del>15</del>
3	<del>750.462h(4)</del>	Person	A	<del>Human trafficking— recruit minor for forced labor causing death</del>	<del>Life</del>
4	<del>750.462i</del>	Person	A	<del>Human trafficking— compound felony</del>	<del>Life</del>
5	<del>750.462j(1)(a)</del>	Person	D	<del>Providing or obtaining labor or services of another person by force, fraud, or coercion</del>	<del>10</del>
6	<del>750.462j(1)(b)</del>	Person	B	<del>Providing or obtaining labor or services of minor by force, fraud, or coercion</del>	<del>20</del>
7	<del>750.462j(1)(c)</del>	Person	A	<del>Providing or obtaining labor or services of another person by force, fraud, or coercion causing death</del>	<del>Life</del>
8	<del>750.462j(2)(a)</del>	Person	D	<del>Recruiting or transporting person for labor or services</del>	<del>10</del>
9	<del>750.462j(2)(b)</del>	Person	B	<del>Recruiting or transporting minor for labor or services</del>	<del>20</del>
10	<del>750.462j(2)(c)</del>	Person	A	<del>Recruiting or transporting person for labor or services causing death</del>	<del>Life</del>

1	750.462F(1)(A)	PERSON	D	HUMAN TRAFFICKING VIOLATION	10
2	750.462F(1)(B)	PERSON	C	HUMAN TRAFFICKING VIOLATION RESULTING IN BODILY INJURY	15
3	750.462F(1)(C)	PERSON	B	HUMAN TRAFFICKING VIOLATION RESULTING IN SERIOUS BODILY INJURY	20
4	750.462F(1)(D)	PERSON	A	HUMAN TRAFFICKING VIOLATION INVOLVING DEATH OR THE COMMISSION OF CERTAIN FELONIES	LIFE
5	750.462F(2)	PERSON	B	OBTAINING A MINOR FOR COMMERCIAL SEXUAL ACTIVITY OR FOR FORCED LABOR OR SERVICES	20
6	750.462F(3)	PERSON	VARIABLE	ATTEMPTING, CONSPIRING, OR SOLICITING ANOTHER TO VIOLATE HUMAN TRAFFICKING LAWS	VARIABLE
7	750.465a(1)(b)	Property	G	Operating audiovisual recording device in a theatrical facility – second offense	2
8	750.465a(1)(c)	Property	F	Operating audiovisual recording device in a theatrical facility – third or subsequent offense	4

9           (2) FOR A VIOLATION OF SECTION 462F(3) OF THE MICHIGAN PENAL  
10 CODE, 1931 PA 328, MCL 750.462F, DETERMINE THE OFFENSE CATEGORY,

1 OFFENSE VARIABLE LEVEL, AND PRIOR RECORD VARIABLE LEVEL BASED ON  
2 THE UNDERLYING OFFENSE.

3 Enacting section 1. This amendatory act takes effect 90 days  
4 after it is enacted into law.

5 Enacting section 2. This amendatory act does not take effect  
6 unless House Bill No. 5234 of the 97th Legislature is enacted  
7 into law.