

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	750.462b(1)	Person	D	Human trafficking—forced labor through physical harm	10
7	750.462b(2)	Person	C	Human trafficking—forced labor through physical harm causing injury	15
8	750.462b(3)	Person	A	Human trafficking—forced labor through physical harm causing death	Life
9	750.462c(1)	Person	D	Human trafficking—forced labor through physical restraint	10
10	750.462c(2)	Person	C	Human trafficking—forced labor through physical restraint causing injury	15
11	750.462c(3)	Person	A	Human trafficking—forced labor through physical restraint causing death	Life
12	750.462d(1)	Person	D	Human trafficking—forced labor through abuse of legal process	10

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

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

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.