

**SUBSTITUTE FOR  
HOUSE BILL NO. 5788**

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 16d of chapter XVII (MCL 777.16d), as amended  
by 2016 PA 88.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1** CHAPTER XVII

**2** Sec. 16d. This chapter applies to the following felonies  
**3** enumerated in chapter 750 of the Michigan Compiled Laws:

<b>4</b>	<b>M.C.L.</b>	<b>Category</b>	<b>Class</b>	<b>Description</b>	<b>Stat Max</b>
<b>5</b>	750.81(5)	Person	E	Domestic assault or assault of a pregnant individual with prior convictions	5
<b>6</b>	750.81a(3)	Person	E	Aggravated domestic assault with prior convictions	5

1	750.81d(1)	Person	G	Assaulting, resisting, or obstructing certain persons	2
2	750.81d(2)	Person	F	Assaulting, resisting, or obstructing certain persons causing <b>BODILY</b> injury <b>REQUIRING MEDICAL ATTENTION</b>	4
3	750.81d(3)	Person	C	Assaulting, resisting, or obstructing certain persons causing serious impairment	15
4	750.81d(4)	Person	B	Assaulting, resisting, or obstructing certain persons causing death	20
5	750.81e(2)	Person	G	Assault on utility worker causing bodily injury requiring medical attention	2
6	750.81e(3)	Person	E	Assault on utility worker causing serious impairment of a body function	5
7	750.82(1)	Person	F	Felonious assault	4
8	750.82(2)	Person	F	Felonious assault – weapon-free school zone	4
9	750.83	Person	A	Assault with intent to murder	Life
10	750.84(1) (a)	Person	D	Assault with intent to do great bodily harm less than murder	10
11	750.84(1) (b)	Person	D	Assault by strangulation or suffocation	10
12	750.85	Person	A	Torture	Life
13	750.86	Person	D	Assault with intent to maim	10

1	750.87	Person	D	Assault with intent to commit a felony	10
2	750.88	Person	C	Assault with intent to commit unarmed robbery	15
3	750.89	Person	A	Assault with intent to commit armed robbery	Life
4	<b>750.90 (1)</b>	<b>PERSON</b>	<b>C</b>	<b>SEXUAL CONTACT UNDER PRETEXT OF MEDICAL TREATMENT</b>	<b>20</b>
5	<del>750.90</del> <b>750.90 (2)</b>	Person	<del>DB</del>	<del>Sexual intercourse</del> <b>PENETRATION</b> under pretext of medical treatment	<del>10</del> <b>25</b>
6	750.90a	Person	A	Assault against a pregnant individual causing miscarriage, stillbirth, or death to embryo or fetus with intent or recklessness	Life
7	750.90b (a)	Person	C	Assault against a pregnant individual resulting in miscarriage, stillbirth, or death to embryo or fetus	15
8	750.90b (b)	Person	D	Assault against a pregnant individual resulting in great bodily harm to embryo or fetus	10
9	750.90c (a)	Person	C	Gross negligence against a pregnant individual resulting in miscarriage, stillbirth, or death to embryo or fetus	15
10	750.90c (b)	Person	E	Gross negligence against a pregnant individual resulting in great bodily harm to embryo or fetus	5
11	750.90d (a)	Person	C	Operating a vehicle under the influence or while impaired causing miscarriage, stillbirth, or death to embryo or fetus	15

1	750.90d(b)	Person	E	Operating a vehicle under the influence or while impaired causing serious or aggravated injury to embryo or fetus	5
2	750.90e	Person	G	Careless or reckless driving causing miscarriage, stillbirth, or death to embryo or fetus	2
3	750.90g(3)	Person	A	Performance of procedure on live infant with intent to cause death	Life
4	750.90h	Person	G	Performing or assisting in performance of partial-birth abortion	2
5	750.91	Person	A	Attempted murder	Life

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

8        Enacting section 2. This amendatory act does not take effect  
9 unless House Bill No. 5787 of the 99th Legislature is enacted  
10 into law.