

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 870

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 116 (MCL 750.116).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 116. ~~(1) Possession of burglar's tools—Any person—~~**Except**
2 **as provided in subsection (2), an individual** who shall knowingly
3 ~~have in his possession—~~**possesses** any nitroglycerine, or other
4 explosive, thermite, engine, machine, tool or implement, device,
5 chemical, or substance, adapted and designed for cutting or burning
6 through, forcing, or breaking open, any building, room, vault,
7 safe, or other depository, ~~in order—~~**with the intent to use it** to
8 steal ~~therefrom—~~any money or other property, knowing the same to be
9 adapted and designed for the purpose aforesaid, ~~—~~**of stealing**, with



1 intent to use or employ the same ~~for the purpose aforesaid, shall~~
2 ~~be to steal is~~ guilty of a felony, punishable by imprisonment ~~in~~
3 ~~the state prison for~~ not more than 10 years.

4 (2) An individual who knowingly possesses any nitroglycerine,
5 or other explosive, thermite, engine, machine, tool or implement,
6 device, chemical, or substance, adapted and designed for cutting or
7 burning through, forcing, or breaking open a motor vehicle, or an
8 electronic device or tool that is designed or adapted to unlock or
9 turn on a motor vehicle, with the intent to steal a motor vehicle
10 is guilty of a felony punishable by imprisonment for not more than
11 5 years.

12 (3) As used in this section, "electronic device or tool" means
13 a device or tool with the purpose of unlocking or turning on a
14 motor vehicle and does not include a previously issued activated
15 electronic card, key, or other electronic device assigned to the
16 lawful owner of the vehicle.

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

