



**House
Legislative
Analysis
Section**

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FELONY MURDER: EXPAND

House Bill 5044
Sponsor: Rep. Jim McBryde
Committee: Judiciary

Complete to 2-7-94

A SUMMARY OF HOUSE BILL 5044 AS INTRODUCED 9-23-93

Under the bill, which would amend the Michigan Penal Code, murder committed in connection with first-degree child abuse or a felony violation of controlled substances laws would be first degree murder, to be punished with life in prison without parole. (This is "felony murder," and already applies to murders committed in connection with arson, first- or second-degree criminal sexual conduct, robbery, breaking and entering of a dwelling, larceny, extortion, and kidnapping.)

(The penal code defines first-degree child abuse as knowingly or intentionally causing serious physical or serious mental harm to someone under 18 years of age. "Serious physical harm" is something that constitutes substantial bodily disfigurement, or seriously impairs the function of a body organ or limb. "Serious mental harm" is something that is not necessarily permanent, but results in visibly demonstrable manifestations of a substantial disorder of thought or mood which significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life. First-degree child abuse is a felony punishable by up to 15 years in prison.)

MCL 750.316

House Bill 5044 (2-7-94)