

SUBSTITUTE FOR
SENATE BILL NO. 1041

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending sections 167 and 168 (MCL 750.167 and 750.168).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 167. (1) A person is a disorderly person if the person
2 is any of the following:
- 3 (a) A person of sufficient ability who refuses or neglects
4 to support his or her family.
- 5 (b) A common prostitute.
- 6 ~~(c) A window peeper.~~
- 7 (C) ~~(d)~~ A person who engages in an illegal occupation or
8 business.
- 9 (D) ~~(e)~~ A person who is intoxicated in a public place and
10 who is either endangering directly the safety of another person

SB 1041, As Passed Senate, April 12, 2000

Senate Bill No. 1041

2

1 or of property or is acting in a manner that causes a public
2 disturbance.

3 (E) ~~-(f)-~~ A person who is engaged in indecent or obscene
4 conduct in a public place.

5 (F) ~~-(g)-~~ A vagrant.

6 (G) ~~-(h)-~~ A person found begging in a public place.

7 (H) ~~-(i)-~~ A person found loitering in a house of ill fame or
8 prostitution or place where prostitution or lewdness is prac-
9 ticed, encouraged, or allowed.

10 (I) ~~-(j)-~~ A person who knowingly loiters in or about a place
11 where an illegal occupation or business is being conducted.

12 (J) ~~-(k)-~~ A person who loiters in or about a police station,
13 police headquarters building, county jail, hospital, court build-
14 ing, or other public building or place for the purpose of solici-
15 ting employment of legal services or the services of sureties
16 upon criminal recognizances.

17 (K) ~~-(l)-~~ A person who is found jostling or roughly crowding
18 people unnecessarily in a public place.

19 (2) ~~When a person, who has been convicted of refusing or~~
20 ~~neglecting to support his or her family under this section, is~~
21 ~~then charged with subsequent violations within a period of 2~~
22 ~~years, that person shall be prosecuted as a second offender, or~~
23 ~~third and subsequent offender, as provided in section 168, if the~~
24 ~~family of that person is then receiving public relief or~~
25 ~~support.~~ A PERSON IS A DISORDERLY PERSON IF HE OR SHE DOES
26 EITHER OF THE FOLLOWING:

SB 1041, As Passed Senate, April 12, 2000

Senate Bill No. 1041

3

1 (A) PEEPS INTO A RESIDENTIAL DWELLING OF ANOTHER PERSON
2 REGARDLESS OF WHETHER HE OR SHE IS COMMITTING A TRESPASS OR IS ON
3 PUBLIC OR PRIVATE PROPERTY AT THE TIME OF THE VIOLATION.

4 (B) PEEPS INTO AN AREA WHERE INDIVIDUALS WOULD REASONABLY BE
5 EXPECTED TO DISROBE, INCLUDING, BUT NOT LIMITED TO, A RESTROOM,
6 BATH, SHOWER, DRESSING ROOM, OR BEDROOM.

7 (3) AS USED IN SUBSECTION (2), "PEEP" MEANS ANY LOOKING OF A
8 CLANDESTINE, SURREPTITIOUS, OR PRYING NATURE.

9 Sec. 168. (1) ~~Any~~ A person convicted of being a disor-
10 derly person ~~shall be~~ UNDER SECTION 167(1) IS guilty of a
11 misdemeanor.

12 (2) A PERSON CONVICTED OF BEING A DISORDERLY PERSON UNDER
13 SECTION 167(2) IS GUILTY OF A CRIME AS FOLLOWS:

14 (A) IF A VICTIM OF THE PEEPING IS LESS THAN 18 YEARS OF AGE,
15 OR IF THE PERSON USES A CAMERA OR A VIDEO RECORDING DEVICE IN
16 COMMITTING THE VIOLATION, THE PERSON IS GUILTY OF A FELONY PUN-
17 ISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF
18 NOT MORE THAN \$2,000.00, OR BOTH.

19 (B) IF SUBDIVISION (A) DOES NOT APPLY, THE PERSON IS GUILTY
20 OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1
21 YEAR OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

22 Enacting section 1. This amendatory act takes effect 90
23 days after the date this amendatory act is enacted.