

SENATE BILL No. 1041

February 22, 2000, Introduced by Senator EMMONS and referred to the Committee on Judiciary.

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
2 person 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, REGARDLESS OF WHETHER THE PERSON, AT
7 THE TIME OF THE VIOLATION, IS COMMITTING A TRESPASS OR IS ON
8 PUBLIC OR PRIVATE PROPERTY.
- 9 (d) A person who engages in an illegal occupation or
10 business.

1 (e) A person who is intoxicated in a public place and who is
2 either endangering directly the safety of another person or of
3 property or is acting in a manner that causes a public
4 disturbance.

5 (f) A person who is engaged in indecent or obscene conduct
6 in a public place.

7 (g) A vagrant.

8 (h) A person found begging in a public place.

9 (i) A person found loitering in a house of ill fame or pros-
10 titution or place where prostitution or lewdness is practiced,
11 encouraged, or allowed.

12 (j) A person who knowingly loiters in or about a place where
13 an illegal occupation or business is being conducted.

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

19 (l) A person who is found jostling or roughly crowding
20 people unnecessarily in a public place.

21 ~~-(2) When a person, who has been convicted of refusing or~~
22 ~~neglecting to support his or her family under this section, is~~
23 ~~then charged with subsequent violations within a period of 2~~
24 ~~years, that person shall be prosecuted as a second offender, or~~
25 ~~third and subsequent offender, as provided in section 168, if the~~
26 ~~family of that person is then receiving public relief or~~
27 ~~support.~~

1 Sec. 168. (1) ~~Any~~ EXCEPT AS PROVIDED IN SUBSECTION (2), A
2 person convicted of being a disorderly person ~~shall be~~ UNDER
3 SECTION 167 IS guilty of a misdemeanor.

4 (2) A PERSON CONVICTED OF BEING A DISORDERLY PERSON UNDER
5 SECTION 167(C), HAVING TO DO WITH WINDOW PEEPING, IS GUILTY OF A
6 CRIME AS FOLLOWS:

7 (A) IF THE VICTIM OF THE WINDOW PEEPING IS 18 YEARS OF AGE
8 OR OLDER, THE PERSON IS GUILTY OF A MISDEMEANOR, PUNISHABLE BY
9 IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF NOT MORE THAN
10 \$500.00, OR BOTH.

11 (B) IF THE VICTIM OF THE WINDOW PEEPING IS LESS THAN 18
12 YEARS OF AGE, THE PERSON IS GUILTY OF A FELONY PUNISHABLE BY
13 IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF NOT MORE THAN
14 \$2,000.00, OR BOTH.

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