

---

Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

**SFA****BILL ANALYSIS**

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

---

House Bill 5033 (Substitute S-1 as reported by the Committee of the Whole)  
Sponsor: Representative Mike Kowall  
House Committee: Criminal Justice  
Senate Committee: Judiciary

### **CONTENT**

The bill would amend the Code of Criminal Procedure to add a sentencing guidelines designation for accosting, enticing, or soliciting a child to commit an immoral act, and to revise the sentencing guidelines designation for a subsequent offense of accosting children for immoral purposes. The bill would take effect on June 1, 2002, and is tie-barred to House Bill 5449.

The bill would add to the sentencing guidelines soliciting a child to commit an immoral act (MCL 750.145a). The offense would be designated a Class F felony against a person, with a statutory maximum sentence of four years' imprisonment. (Currently, that violation is a misdemeanor punishable by up to one year's imprisonment. House Bill 5449 (S-1) would make the offense a felony punishable by up to four years' imprisonment and/or a maximum fine of \$2,000.)

In addition, the bill would revise the sentencing guidelines designation for a subsequent offense of accosting children for immoral purposes (MCL 750.145b). Currently, that violation is a Class F felony against a person, with a statutory maximum sentence of four years' imprisonment. Under the bill, it would be a Class D felony against a person, with a statutory maximum sentence of 10 years' imprisonment, as proposed by House Bill 5449 (S-1). The bill also would refer to a violation with a prior conviction rather than to a subsequent offense.

MCL 777.16g

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

Please see **FISCAL IMPACT** on House Bill 4325 (S-1).

Date Completed: 2-13-02

Fiscal Analyst: Bethany Wicksall