

**SUBSTITUTE FOR
HOUSE BILL NO. 5511**

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 212a (MCL 750.212a), as added by 1998
PA 207.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 212a. (1) If a person violates this chapter, the vio-
2 lation is committed in or is directed at a vulnerable target, and
3 the violation results in the death of another individual or
4 results in serious impairment of a body function of another indi-
5 vidual, the person is guilty of a felony punishable by imprison-
6 ment for not more than 20 years. A term of imprisonment imposed
7 under this section shall be served concurrently to the term of
8 imprisonment for the underlying violation.

9 (2) As used in this section:

HB5511, As Passed House, February 5, 2002

House Bill No. 5511

2

(a) "Serious impairment of a body function" means that term as defined in section ~~625~~ 58C of the Michigan vehicle code, 1949 PA 300, MCL ~~257.625~~ 257.58C.

(b) "Vulnerable target" means any of the following:

(i) A child care center or day care center as defined in section 1 of 1973 PA 116, MCL 722.111.

(ii) A health care facility or agency as defined in section 20106 of the public health code, 1978 PA 368, MCL 333.20106.

(iii) A building or structure open to the general public.

(iv) A church, synagogue, mosque, or other place of religious worship.

(v) A public, private, denominational, or parochial school offering developmental kindergarten, kindergarten, or any grade 1 through 12.

(vi) An institution of higher education.

(vii) A STADIUM.

(viii) A TRANSPORTATION STRUCTURE OR FACILITY OPEN TO THE PUBLIC, INCLUDING, BUT NOT LIMITED TO, A BRIDGE, A TUNNEL, A PUBLIC HIGHWAY, OR A RAILROAD.

(ix) AN AIRPORT. AS USED IN THIS SUBPARAGRAPH, "AIRPORT" MEANS THAT TERM AS DEFINED IN SECTION 9 OF THE AERONAUTICS CODE OF THE STATE OF MICHIGAN, 1945 PA 327, MCL 259.9.

(x) PORT FACILITIES. AS USED IN THIS SUBPARAGRAPH, "PORT FACILITIES" MEANS THAT TERM AS DEFINED IN SECTION 2 OF THE HERTEL-LAW-T. STOPCZYNSKI PORT AUTHORITY ACT, 1978 PA 639, MCL 120.102.

HB5511, As Passed House, February 5, 2002

H05921 '01 * (H-2)

HB5511, As Passed House, February 5, 2002

Sub. HB 5511 (H-2) as amended January 30, 2002 3

- 1 (xi) A PUBLIC SERVICES FACILITY. AS USED IN THIS
2 SUBPARAGRAPH, "PUBLIC SERVICES FACILITY" MEANS ANY OF THE
3 FOLLOWING FACILITIES WHETHER PUBLICLY OR PRIVATELY OWNED:
4 (A) A NATURAL GAS PIPELINE, REFINERY, OR STORAGE FACILITY.
5 (B) AN ELECTRIC, STEAM, GAS, TELEPHONE, POWER, WATER, OR
6 PIPELINE FACILITY.
7 (C) A NUCLEAR POWER PLANT.
8 (xii) A PETROLEUM REFINERY, STORAGE FACILITY, OR PIPELINE.
9 (xiii) A PUBLICLY OWNED [OR CONTROLLED BUILDING OPEN TO THE
PUBLIC].

[(xiv) A VEHICLE, LOCOMOTIVE OR RAILROAD CAR, AIRCRAFT, OR
WATERCRAFT USED TO PROVIDE TRANSPORTATION SERVICES TO THE PUBLIC OR TO
PROVIDE FOR THE MOVEMENT OF GOODS IN COMMERCE.]