



**SB930, As Passed House, March 19, 2002**

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1 (B) "DANGEROUS TO HUMAN LIFE" MEANS THAT WHICH CAUSES A  
2 SUBSTANTIAL LIKELIHOOD OF DEATH OR SERIOUS INJURY [OR THAT IS A VIOLATION  
OF SECTION 349 OR 350].

3 [  
4 ]

5 [(C)] "HARMFUL BIOLOGICAL SUBSTANCE", "HARMFUL BIOLOGICAL  
6 DEVICE", "HARMFUL CHEMICAL SUBSTANCE", "HARMFUL CHEMICAL DEVICE",  
7 "HARMFUL RADIOACTIVE MATERIAL", AND "HARMFUL RADIOACTIVE DEVICE"  
8 MEAN THOSE TERMS AS DEFINED IN SECTION 200H.

9 [(D)] "MATERIAL SUPPORT OR RESOURCES" MEANS CURRENCY OR OTHER  
10 FINANCIAL SECURITIES, FINANCIAL SERVICES, LODGING, TRAINING, SAFE  
11 HOUSES, FALSE DOCUMENTATION OR IDENTIFICATION, COMMUNICATIONS  
12 EQUIPMENT, FACILITIES, WEAPONS, LETHAL SUBSTANCES, EXPLOSIVES,  
13 PERSONNEL, TRANSPORTATION, INCLUDING ANY RELATED PHYSICAL ASSETS  
14 OR INTANGIBLE PROPERTY, OR EXPERT SERVICES OR EXPERT ASSISTANCE.

15 [(E)] "PERSON" MEANS AN INDIVIDUAL, AGENT, ASSOCIATION, CHARI-  
16 TABLE ORGANIZATION, CORPORATION, JOINT APPRENTICESHIP COMMITTEE,  
17 JOINT STOCK COMPANY, LABOR ORGANIZATION, LEGAL REPRESENTATIVE,  
18 MUTUAL COMPANY, PARTNERSHIP, RECEIVER, TRUST, TRUSTEE, TRUSTEE IN  
19 BANKRUPTCY, UNINCORPORATED ORGANIZATION, OR ANY OTHER LEGAL OR  
20 COMMERCIAL ENTITY.

21 [(F)] "RENDERS CRIMINAL ASSISTANCE" MEANS THAT THE PERSON WITH  
22 THE INTENT TO AVOID, PREVENT, HINDER, OR DELAY THE DISCOVERY,  
23 APPREHENSION, PROSECUTION, TRIAL, OR SENTENCING OF A PERSON WHO  
24 HE OR SHE KNOWS OR HAS REASON TO KNOW HAS VIOLATED THIS CHAPTER  
25 OR IS WANTED AS A MATERIAL WITNESS IN CONNECTION WITH AN ACT OF  
26 TERRORISM PURSUANT TO SECTION 39 OF CHAPTER VII OF THE CODE OF

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1 CRIMINAL PROCEDURE, 1927 PA 175, MCL 767.39, DOES ANY OF THE  
2 FOLLOWING:

3 (i) HARBORS OR CONCEALS THAT OTHER PERSON.

4 (ii) WARNS THAT OTHER PERSON OF IMPENDING DISCOVERY OR  
5 APPREHENSION.

6 (iii) PROVIDES THAT OTHER PERSON WITH MONEY, TRANSPORTATION,  
7 A WEAPON, A DISGUISE, OR FALSE IDENTIFICATION, OR ANY OTHER MEANS  
8 OF AVOIDING DISCOVERY OR APPREHENSION.

9 (iv) PREVENTS OR OBSTRUCTS, BY MEANS OF FORCE, INTIMIDATION,  
10 OR DECEPTION, ANYONE FROM PERFORMING AN ACT THAT MIGHT AID IN THE  
11 DISCOVERY, APPREHENSION, OR PROSECUTION OF THAT OTHER PERSON.

12 (v) SUPPRESSES, BY ANY ACT OF CONCEALMENT, ALTERATION, OR  
13 DESTRUCTION, ANY PHYSICAL EVIDENCE THAT MIGHT AID IN THE DISCOV-  
14 ERY, APPREHENSION, OR PROSECUTION OF THAT OTHER PERSON.

15 (vi) ENGAGES IN CONDUCT PROSCRIBED UNDER SECTION 120, 120A,  
16 OR 122 OR CHAPTER XXXII.

17 [(G)] "TERRORIST" MEANS ANY PERSON WHO ENGAGES OR IS ABOUT TO  
18 ENGAGE IN AN ACT OF TERRORISM.

19 [(H)] "VIOLENT FELONY" MEANS A FELONY IN WHICH AN ELEMENT IS  
20 THE USE, ATTEMPTED USE, OR THREATENED USE OF PHYSICAL FORCE  
21 AGAINST [AN INDIVIDUAL], OR THE USE, ATTEMPTED USE, OR THREATENED USE OF  
22 A HARMFUL BIOLOGICAL SUBSTANCE, A HARMFUL BIOLOGICAL DEVICE, A  
23 HARMFUL CHEMICAL SUBSTANCE, A HARMFUL CHEMICAL DEVICE, A HARMFUL  
24 RADIOACTIVE SUBSTANCE, A HARMFUL RADIOACTIVE DEVICE, AN EXPLOSIVE  
25 DEVICE, OR AN INCENDIARY DEVICE.

26 SEC. 543F. (1) A PERSON IS GUILTY OF TERRORISM WHEN THAT  
27 PERSON KNOWINGLY COMMITS AN ACT OF TERRORISM.

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1           (2) TERRORISM IS A FELONY PUNISHABLE BY IMPRISONMENT FOR  
2 LIFE OR ANY TERM OF YEARS OR A FINE OF NOT MORE THAN \$100,000.00,  
3 OR BOTH. HOWEVER, IF DEATH WAS CAUSED BY THE TERRORIST ACT, THE  
4 PERSON SHALL BE PUNISHED BY IMPRISONMENT FOR LIFE WITHOUT ELIGI-  
5 BILITY FOR PAROLE.

6           SEC. 543H. (1) A PERSON IS GUILTY OF HINDERING PROSECUTION  
7 OF TERRORISM WHEN HE OR SHE KNOWINGLY RENDERS CRIMINAL ASSISTANCE  
8 TO A PERSON WHO HAS COMMITTED AN ACT OF TERRORISM.

9           (2) THIS SECTION DOES NOT APPLY TO CONDUCT FOR WHICH A  
10 PERSON MAY BE PUNISHED AS IF HE OR SHE HAD COMMITTED THE OFFENSE  
11 COMMITTED BY ANOTHER PERSON AS ALLOWED UNDER SECTION 39 OF CHAP-  
12 TER VII OF THE CODE OF CRIMINAL PROCEDURE, 1927 PA 175,  
13 MCL 767.39.

14           (3) HINDERING PROSECUTION OF TERRORISM IS A FELONY PUNISH-  
15 ABLE BY IMPRISONMENT FOR LIFE OR ANY TERM OF YEARS OR A FINE OF  
16 NOT MORE THAN \$100,000.00, OR BOTH.

17           SEC. 543K. (1) ANY PERSON WHO DOES ANY OF THE FOLLOWING IS  
18 GUILTY OF A CRIME PUNISHABLE AS PROVIDED IN SUBSECTION (2):

19           (A) KNOWINGLY RAISES, SOLICITS, OR COLLECTS MATERIAL SUPPORT  
20 OR RESOURCES INTENDING THAT THE MATERIAL SUPPORT OR RESOURCES  
21 WILL BE USED, IN WHOLE OR IN PART, TO PLAN, PREPARE, CARRY OUT,  
22 OR AVOID APPREHENSION FOR COMMITTING AN ACT OF TERRORISM AGAINST  
23 THE UNITED STATES OR ITS CITIZENS, THIS STATE OR ITS CITIZENS, OR  
24 A POLITICAL SUBDIVISION OR ANY OTHER INSTRUMENTALITY OF THIS  
25 STATE OR OF A LOCAL UNIT OF GOVERNMENT WHO KNOWS THAT THE MATE-  
26 RIAL SUPPORT OR RESOURCES RAISED, SOLICITED, OR COLLECTED WILL BE  
27 USED BY A TERRORIST OR TERRORIST ORGANIZATION.

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1 (B) KNOWINGLY PROVIDES MATERIAL SUPPORT OR RESOURCES TO A  
2 PERSON KNOWING THAT THE PERSON WILL USE THAT SUPPORT OR THOSE  
3 RESOURCES IN WHOLE OR IN PART TO PLAN, PREPARE, CARRY OUT, FACIL-  
4 ITATE, OR AVOID APPREHENSION FOR COMMITTING AN ACT OF TERRORISM  
5 AGAINST THE UNITED STATES OR ITS CITIZENS, THIS STATE OR ITS CIT-  
6 IZENS, OR A POLITICAL SUBDIVISION OR ANY OTHER INSTRUMENTALITY OF  
7 THIS STATE OR OF A LOCAL UNIT OF GOVERNMENT.

8 (2) A PERSON WHO VIOLATES SUBSECTION (1)(A) IS GUILTY OF  
9 SOLICITING MATERIAL SUPPORT FOR TERRORISM. A PERSON WHO VIOLATES  
10 SUBSECTION (1)(B) IS GUILTY OF PROVIDING MATERIAL SUPPORT FOR  
11 TERRORIST ACTS. SOLICITING MATERIAL SUPPORT FOR TERRORISM AND  
12 PROVIDING MATERIAL SUPPORT FOR TERRORIST ACTS ARE FELONIES PUN-  
13 ISHABLE BY IMPRISONMENT FOR NOT MORE THAN 20 YEARS OR A FINE OF  
14 NOT MORE THAN \$20,000.00, OR BOTH.

15 SEC. 543M. (1) A PERSON IS GUILTY OF MAKING A TERRORIST  
16 THREAT OR OF MAKING A FALSE REPORT OF TERRORISM IF THE PERSON  
17 DOES EITHER OF THE FOLLOWING:

18 (A) THREATENS TO COMMIT AN ACT OF TERRORISM AND COMMUNICATES  
19 THE THREAT TO ANY OTHER PERSON.

20 (B) KNOWINGLY MAKES A FALSE REPORT OF AN ACT OF TERRORISM  
21 AND COMMUNICATES THE FALSE REPORT TO ANY OTHER PERSON [, KNOWING THE  
REPORT IS FALSE].

22 (2) IT IS NOT A DEFENSE TO A PROSECUTION UNDER THIS SECTION  
23 THAT THE DEFENDANT DID NOT HAVE THE INTENT OR CAPABILITY OF COM-  
24 MITTING THE ACT OF TERRORISM.

25 (3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY  
26 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 20 YEARS OR A FINE  
27 OF NOT MORE THAN \$20,000.00, OR BOTH.

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1           Enacting section 1. This amendatory act takes effect [April 22],  
2 2002.

          [Enacting section 2. Sections 543a to 543z of the Michigan penal  
code, 1931 PA 328, MCL 750.543a to 750.543z, are repealed effective May  
1, 2004.]

3           Enacting section [3]. This amendatory act does not take  
4 effect unless House Bill No. 5495 of the 91st Legislature is  
5 enacted into law.