

HOUSE BILL No. 5033

July 12, 2001, Introduced by Reps. Kowall, Bernero, Julian, Faunce, Meyer, Richardville, Hager, Gilbert, Stamas, Allen, Tabor, George, O'Neil, McConico, Wojno, Rison, Neumann, Sheltroun, Hale, Anderson, Schauer, Bob Brown, Rivet, Bovin, Dennis, Phillips, Zelenko, Murphy, Spade, Mans, Whitmer, Rich Brown, Gielegthem, Jamnick, Vander Veen, Voorhees, Gosselin, Pappageorge, Shackleton, DeRossett, Toy and Cassis and referred to the Committee on Criminal Justice.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 16g of chapter XVII (MCL 777.16g), as amended
by 2000 PA 279.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XVII

2 Sec. 16g. (1) This chapter applies to the following felo-
3 nies enumerated in chapter 750 of the Michigan Compiled Laws:

4	M.C.L.	Category Class		Description	Stat Max
5	750.135	Person	D	Exposing children with	
6				intent to injure or	
7				abandon	10
8	750.136b(f)(2)				
9	750.136B(2)	Person	B	Child abuse -- first	
10				degree	15
11	750.136b(f)(3)				
12	750.136B(4)	Person	F	Child abuse -- second	
13				degree	4

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1	(750.136b(f)(4))				
2	750.136B(5)	Person	G	Child abuse -- third	
3				degree	2
4	750.136c	Person	B	Buying or selling an	
5				individual	20
6	750.145A	PERSON	F	SOLICITING CHILD TO	
7				COMMIT AN IMMORAL ACT	4
8	750.145b	Person	F	Accosting children for	
9				immoral purposes --	
10				subsequent offense	4
11	750.145c(2)	Person	B	Child sexually abusive	
12				activity or materials	
13				-- active involvement	20
14	750.145c(3)	Person	D	Child sexually abusive	
15				activity or materials	
16				-- distributing, pro-	
17				moting, or financing	7
18	750.145d(2)(b)	Variable	G	Using internet or com-	
19				puter to commit crime	
20				punishable by a maximum	
21				term of imprisonment of	
22				at least 1 year but	
23				less than 2 years	2
24	750.145d(2)(c)	Variable	F	Using internet or com-	
25				puter to commit crime	
26				punishable by a maximum	
27				term of imprisonment of	
28				at least 2 years but	
29				less than 4 years	4
30	750.145d(2)(d)	Variable	D	Using internet or com-	
31				puter to commit crime	
32				punishable by a maximum	
33				term of imprisonment of	
34				at least 4 years but	
35				less than 10 years	10
36	750.145d(2)(e)	Variable	C	Using internet or com-	
37				puter to commit crime	
38				punishable by a maximum	
39				term of imprisonment of	
40				at least 10 years but	
41				less than 15 years	15
42	750.145d(2)(f)	Variable	B	Using internet or	
43				computer to commit	
44				crime punishable by a	

1				maximum term of	
2				imprisonment of at	
3				least 15 years or for	
4				life	20
5	750.145n(1)	Person	C	Vulnerable adult abuse --	
6				first degree	15
7	750.145n(2)	Person	F	Vulnerable adult abuse --	
8				second degree	4
9	750.145n(3)	Person	G	Vulnerable adult abuse --	
10				third degree	2
11	750.145o	Person	E	Death of vulnerable adult	
12				caused by unlicensed	
13				caretaker	5
14	750.145p(1)	Person	G	Vulnerable adult -- com-	
15				mingling funds,	
16				obstructing investiga-	
17				tion, or filing false	
18				information	2
19	750.145p(2)	Person	G	Retaliation or discrimi-	
20				nation by caregiver	
21				against vulnerable	
22				adult	2
23	750.145p(5)	Person	E	Vulnerable adult -- care-	
24				giver violations --	
25				subsequent offense	5
26	750.147b	Person	G	Ethnic intimidation	2

27 (2) For a violation of section 145d of the Michigan penal
 28 code, 1931 PA 328, MCL 750.145d, determine the offense category,
 29 offense variable level, and prior record variable level based on
 30 the underlying offense.

31 Enacting section 1. This amendatory act does not take
 32 effect unless Senate Bill No. ____ or House Bill No. 5032
 33 (request no. 04726'01) of the 91st Legislature is enacted into
 34 law.