

HOUSE BILL No. 5143

October 4, 2001, Introduced by Reps. Wojno, Faunce, Pestka, Bernero, Mans, Gielegem, Anderson, Rivet, Callahan, Richardville, Williams, Thomas and Drolet and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 492b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 492B. (1) A PERSON SHALL NOT KNOWINGLY USE A PUBLIC
2 RECORD, OR KNOWINGLY USE INFORMATION OBTAINABLE ONLY THROUGH A
3 PUBLIC RECORD, TO COMMIT OR ATTEMPT TO COMMIT A CRIME. A PERSON
4 WHO VIOLATES THIS SUBSECTION IS GUILTY AS FOLLOWS:

5 (A) IF THE CRIME COMMITTED IS A MISDEMEANOR, THE PERSON IS
6 GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE
7 THAN 93 DAYS OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

8 (B) IF THE CRIME COMMITTED IS A FELONY, THE PERSON IS GUILTY
9 OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 5 YEARS
10 OR A FINE OF NOT MORE THAN \$10,000.00, OR BOTH.

1 (2) AS USED IN THIS SECTION:

2 (A) "PERSON" MEANS AN INDIVIDUAL, PARTNERSHIP, CORPORATION,
3 ASSOCIATION, GOVERNMENTAL ENTITY, OR OTHER LEGAL ENTITY.

4 (B) "PUBLIC RECORD" MEANS THAT TERM AS DEFINED IN SECTION 2
5 OF THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.232.