

# SENATE BILL No. 73

February 1, 2001, Introduced by Senators GOUGEON, HAMMERSTROM, NORTH, BULLARD, GOSCHKA and DE BEAUSSAERT and referred to the Committee on Families, Mental Health and Human Services.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 217e.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 SEC. 217E. (1) AN INDIVIDUAL WHO IS NOT EMPLOYED BY THE  
2 FAMILY INDEPENDENCE AGENCY SHALL NOT INFORM ANOTHER INDIVIDUAL OR  
3 REPRESENT TO ANOTHER INDIVIDUAL BY IDENTIFICATION OR ANY OTHER  
4 MEANS THAT HE OR SHE IS EMPLOYED BY THE FAMILY INDEPENDENCE  
5 AGENCY WITH INTENT TO DO 1 OR MORE OF THE FOLLOWING:

6 (A) GAIN OR ATTEMPT TO GAIN ENTRY TO A RESIDENCE, BUILDING,  
7 STRUCTURE, FACILITY, OR OTHER PROPERTY.

8 (B) REMAIN OR ATTEMPT TO REMAIN IN OR UPON A RESIDENCE,  
9 BUILDING, STRUCTURE, FACILITY, OR OTHER PROPERTY.

10 (C) GAIN OR ATTEMPT TO GAIN ACCESS TO FINANCIAL ACCOUNT  
11 INFORMATION.

1 (D) COMMIT OR ATTEMPT TO COMMIT A CRIME.

2 (E) OBTAIN OR ATTEMPT TO OBTAIN INFORMATION TO WHICH THE  
3 INDIVIDUAL IS NOT ENTITLED UNDER SECTION 7 OF THE CHILD PROTEC-  
4 TION LAW, 1975 PA 238, MCL 722.627.

5 (F) GAIN ACCESS OR ATTEMPT TO GAIN ACCESS TO A PERSON LESS  
6 THAN 18 YEARS OF AGE TO A VULNERABLE ADULT. AS USED IN THIS SUB-  
7 DIVISION, "VULNERABLE ADULT" MEANS AN INDIVIDUAL AGE 18 OR OLDER  
8 WHO, BECAUSE OF AGE, DEVELOPMENTAL DISABILITY, MENTAL ILLNESS, OR  
9 DISABILITY, WHETHER OR NOT DETERMINED BY A COURT TO BE AN INCA-  
10 PACITATED INDIVIDUAL IN NEED OF PROTECTION, LACKS THE COGNITIVE  
11 SKILLS REQUIRED TO MANAGE HIS OR HER PROPERTY.

12 (2) AN INDIVIDUAL WHO VIOLATES SUBSECTION (1) IS GUILTY OF A  
13 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR A  
14 FINE OF NOT MORE THAN \$1,000.00, OR BOTH.