

**REVISE CERTAIN ROBBERY
STATUTES**

House Bill 5105

Sponsor: Rep. William Van Regenmorter
Committee: Criminal Justice

Complete to 2-3-04

A SUMMARY OF HOUSE BILL 5105 AS INTRODUCED 10-1-03

The bill would revise provisions of the Michigan Penal Code pertaining to armed robbery, carjacking, and unarmed robbery. Many of the changes would be editorial in nature and the penalties for the three crimes would not be affected. However, the crime of armed robbery would be expanded to include a person who, in the course of engaging in the proscribed conduct, represented orally or otherwise that he or she was in possession of a dangerous weapon.

Carjacking, which is the use of force or violence, or the threat to use force or violence, to rob, steal, or take a motor vehicle from another person in that person's presence, would be revised to apply to a person who, in the course of committing a larceny of a motor vehicle, put in fear any operator, passenger, or person in lawful possession of the motor vehicle, or any person lawfully attempting to recover the motor vehicle. (The new language is underlined.) The bill would define "in the course of committing a larceny of a motor vehicle" as including acts that occurred in an attempt to commit the larceny, or during commission of the larceny, or in flight or attempted flight after the commission of the larceny, or in an attempt to retain possession of the motor vehicle.

Currently, unarmed robbery is the act of using force and violence, assault, or fear (but without a dangerous weapon) to feloniously rob, steal and take from that person, or in his or her person, any money or other property which may be the subject of larceny. The provision would be revised to apply to a person who, in the course of committing a larceny of any money or other property that may be the subject of larceny, used force or violence against any person who was present, or who assaulted or put the person in fear. The bill would define "in the course of committing a larceny" as including acts that occurred in an attempt to commit the larceny, or during commission of the larceny, or in flight or attempted flight after the commission of the larceny, or in an attempt to retain possession of the property.

MCL 750.529, 750.529a, and 750.530

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