

SENATE BILL No. 585

October 3, 2013, Introduced by Senators NOFS, HANSEN, ANDERSON, GREGORY, WARREN, JANSEN, PROOS, ROBERTSON, JONES, PAPPAGEORGE, SCHUITMAKER, BIEDA, HOPGOOD, MARLEAU, CASPERSON, MOOLENAAR, BRANDENBURG, ROCCA, MEEKHOF, CASWELL, BOOHER, COLBECK, HILDENBRAND, KAHN, RICHARDVILLE and EMMONS and referred to the Committee on Families, Seniors and Human Services.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending the title and sections 448, 449, and 450 (MCL 750.448, 750.449, and 750.450), the title as amended by 2010 PA 107, section 448 as amended by 2002 PA 45, and sections 449 and 450 as amended by 2002 PA 46, and by adding sections 451b and 451c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

TITLE

An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; **TO PREEMPT CERTAIN ORDINANCES;**

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1 and to repeal certain acts and parts of acts inconsistent with or
2 contravening any of the provisions of this act.

3 Sec. 448. A person ~~16~~—18 years of age or older who accosts,
4 solicits, or invites another person in a public place or in or from
5 a building or vehicle, by word, gesture, or any other means, to
6 commit prostitution or to do any other lewd or immoral act, is
7 guilty of a crime punishable as provided in section 451.

8 Sec. 449. A person ~~16~~—18 years of age or older who receives or
9 admits or offers to receive or admit a person into a place,
10 structure, house, building, or vehicle for the purpose of
11 prostitution, lewdness, or assignation, or who knowingly permits a
12 person to remain in a place, structure, house, building, or vehicle
13 for the purpose of prostitution, lewdness, or assignation, is
14 guilty of a crime punishable as provided in section 451.

15 Sec. 450. A person ~~16~~—18 years of age or older who aids,
16 assists, or abets another person to commit or offer to commit an
17 act prohibited under section 448 or 449 is guilty of a crime
18 punishable as provided in section 451.

19 **SEC. 451B. (1) EXCEPT AS PROVIDED IN SECTION 451C, A LOCAL**
20 **UNIT OF GOVERNMENT SHALL NOT ENACT OR ENFORCE AN ORDINANCE THAT**
21 **PROSCRIBES CONDUCT ADDRESSED IN SECTION 448, 449, OR 450 THAT**
22 **ESTABLISHES A LOWER MINIMUM AGE FOR THE VIOLATOR THAN IS**
23 **ESTABLISHED IN THOSE SECTIONS.**

24 **(2) AS USED IN THIS SECTION, "LOCAL UNIT OF GOVERNMENT" MEANS**
25 **ANY OF THE FOLLOWING:**

26 **(A) A CITY, VILLAGE, OR TOWNSHIP.**

27 **(B) A COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY.**

1 SEC. 451C. IF A PEACE OFFICER HAS REASONABLE CAUSE TO BELIEVE
2 THAT AN INDIVIDUAL LESS THAN 18 YEARS OF AGE IS ENGAGING IN CONDUCT
3 PROSCRIBED UNDER SECTION 448, 449, 450, OR 451, OR A LOCAL
4 ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 448, 449, 450, OR
5 451, THE POLICE OFFICER SHALL IMMEDIATELY TAKE THAT INDIVIDUAL INTO
6 CUSTODY UNDER SECTION 14 OF CHAPTER XIIIA OF THE PROBATE CODE OF
7 1939, 1939 PA 288, MCL 712A.14, FOR PURPOSES OF A HEARING UNDER
8 SECTION 11A OF CHAPTER XIIIA OF THE PROBATE CODE OF 1939, 1939 PA
9 288, MCL 712A.11A.

10 Enacting section 1. This amendatory act does not take effect
11 unless Senate Bill No. 586
12 of the 97th Legislature is enacted into law.