

# HOUSE BILL No. 4463

April 16, 2015, Introduced by Rep. Heise and referred to the Committee on Criminal Justice.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 37 of chapter XVII (MCL 777.37), as amended  
by 2002 PA 137.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### 1 CHAPTER XVII

2 Sec. 37. (1) Offense variable 7 is aggravated physical  
3 abuse. Score offense variable 7 by determining which of the  
4 following apply and by assigning the number of points  
5 attributable to the ~~one~~**-1** that has the highest number of points:

6 (a) A victim was treated with sadism,  
7 torture, ~~ex~~-excessive brutality, or **SIMILARLY**  
8 **EGREGIOUS** conduct designed to substantially  
9 increase the fear and anxiety a victim suffered  
10 during the offense..... 50 points

House Bill No. 4463 as amended September 24, 2015

1 (b) No victim was treated with sadism,  
 2 torture, ~~or~~ excessive brutality, or **SIMILARLY**  
 3 **EGREGIOUS** conduct designed to substantially  
 4 increase the fear and anxiety a victim suffered  
 5 during the offense..... 0 points

6 (2) Count each person who was placed in danger of injury or  
 7 loss of life as a victim.

8 (3) As used in this section, "sadism" means conduct that  
 9 subjects a victim to extreme or prolonged pain or humiliation and  
 10 is inflicted to produce suffering or for the offender's  
 11 gratification.

<<Enacting section 1. This amendatory act takes effect 90 days  
 after the date it is enacted into law.>>