

# HOUSE BILL No. 5839

September 8, 2016, Introduced by Rep. Sheppard and referred to the Committee on Criminal Justice.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 16w of chapter XVII (MCL 777.16w), as amended  
by 2014 PA 327.

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

**1** CHAPTER XVII

**2** Sec. 16w. (1) This chapter applies to the following felonies  
**3** enumerated in chapter 750 of the Michigan Compiled Laws:

<b>4</b>	<b>M.C.L.</b>	<b>Category</b>	<b>Class</b>	<b>Description</b>	<b>Stat Max</b>
<b>5</b>	750.451(3)	Pub ord	G	Prostitution – various offenses – third or subsequent offense	2
<b>6</b>	750.451(4)	Person	E	Soliciting a person under 18 years of age to commit prostitution	5

1	750.452	Pub ord	E	Keeping a house of prostitution	5
2	750.455	Pub ord	B	Pandering	20
3	750.456	Person	B	Placing spouse into prostitution	20
4	750.457	Pub ord	B	Accepting earnings of a prostitute	20
5	750.458	Person	B	Prostitution – detaining person for debt	20
6	<del>750.459</del> 750.459 (1)	Person	B	Transporting a person for prostitution	20
7	750.459 (2)	<b>PERSON</b>	<b>E</b>	<b>SELLING TRAVEL SERVICES TO FACILITATE PROSTITUTION OR HUMAN TRAFFICKING IN OTHER JURISDICTIONS</b>	<b>5</b>
8	750.459 (3)	<b>PERSON</b>	<b>D</b>	<b>SELLING TRAVEL SERVICES TO FACILITATE PROSTITUTION OR HUMAN TRAFFICKING IN OTHER JURISDICTIONS INVOLVING A MINOR</b>	<b>10</b>
9	750.462f(1) (a)	Person	D	Human trafficking violation	10
10	750.462f(1) (b)	Person	C	Human trafficking violation resulting in bodily injury	15
11	750.462f(1) (c)	Person	B	Human trafficking violation resulting in serious bodily injury	20
12	750.462f(1) (d)	Person	A	Human trafficking violation involving death or the commission of certain felonies	Life
13	750.462f(2)	Person	B	Obtaining a minor for commercial sexual activity or for forced labor or services	20

1	750.462f(3)	Person	Variable	Attempting, conspiring, or soliciting another to violate human trafficking laws	Variable
2	750.465a(1) (b)	Property	G	Operating audiovisual recording device in a theatrical facility - second offense	2
3	750.465a(1) (c)	Property	F	Operating audiovisual recording device in a theatrical facility - third or subsequent offense	4

4           (2) For a violation of section 462f(3) of the Michigan penal  
5 code, 1931 PA 328, MCL 750.462f, determine the offense category,  
6 offense variable level, and prior record variable level based on  
7 the underlying offense.

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

10           Enacting section 2. This amendatory act does not take effect  
11 unless Senate Bill No. \_\_\_\_ or House Bill No. 5838 (request no.  
12 06148'16) of the 98th Legislature is enacted into law.