

HOUSE BILL NO. 4508

May 21, 2025, Introduced by Rep. Lightner and referred to Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending sections 16, 18, 200i, 204, 207, 209, 210, 211a, 316,
436, 520b, and 543f (MCL 750.16, 750.18, 750.200i, 750.204,
750.207, 750.209, 750.210, 750.211a, 750.316, 750.436, 750.520b,
and 750.543f), sections 16, 18, 200i, 204, 207, 209, 210, 211a,
436, 520b, and 543f as amended by 2014 PA 23 and section 316 as
amended by 2022 PA 149.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

CHAPTER XIIA

1 Sec. 16. (1) Except as otherwise provided in this section, a
2 person who knowingly or recklessly commits any of the following
3 actions is guilty of a felony punishable by imprisonment for not
4 more than 2 years or a fine of not more than \$1,000.00, or both:

5 (a) Adulterates, misbrands, removes, or substitutes a drug or
6 medicine so as to render that drug or medicine injurious to health.

7 (b) Sells, offers for sale, possesses for sale, causes to be
8 sold, or manufactures for sale a drug or medicine that has been
9 adulterated, misbranded, removed, or substituted so as to render it
10 injurious to health.

11 (2) A person who commits a violation of subsection (1) that
12 results in personal injury is guilty of a felony punishable by
13 imprisonment for not more than 4 years or a fine of not more than
14 \$4,000.00, or both.

15 (3) A person who commits a violation of subsection (1) that
16 results in serious impairment of a body function is guilty of a
17 felony punishable by imprisonment for not more than 5 years or a
18 fine of not more than \$5,000.00, or both.

19 (4) A person who commits a violation of subsection (1) that
20 results in death is guilty of a felony punishable by imprisonment
21 for not more than 15 years or a fine of not more than \$20,000.00,
22 or both.

23 (5) Except as provided in sections 25, ~~and 25a~~, **and 25b** of
24 chapter IX of the code of criminal procedure, 1927 PA 175, MCL
25 769.25, ~~and 769.25a~~, **and 769.25b**, a person who commits a violation
26 of subsection (1) with the intent to kill or to cause serious
27 impairment of a body function of 2 or more individuals that results
28 in death is guilty of a felony punishable by imprisonment for life
29 without possibility of parole or life without possibility of parole

1 and a fine of not more than \$40,000.00. It is not a defense to a
2 charge under this subsection that the person did not intend to kill
3 a specific individual or did not intend to cause serious impairment
4 of a body function of 2 or more specific individuals.

5 (6) As used in this section, "serious impairment of a body
6 function" means that phrase as defined in section 58c of the
7 Michigan vehicle code, 1949 PA 300, MCL 257.58c.

8 (7) This section does not prohibit an individual from being
9 charged with, convicted of, or punished for any other violation of
10 law that is committed by that individual while violating this
11 section.

12 Sec. 18. (1) Except for the purpose of compounding in the
13 necessary preparation of medicine, a person shall not knowingly or
14 recklessly mix, color, stain, or powder, or order or permit another
15 person to mix, color, stain, or powder, a drug or medicine with an
16 ingredient or material so as to injuriously affect the quality or
17 potency of the drug or medicine.

18 (2) A person shall not sell, offer for sale, possess for sale,
19 cause to be sold, or manufacture for sale a drug or medicine mixed,
20 colored, stained, or powdered in the manner proscribed in
21 subsection (1).

22 (3) Except as otherwise provided in this section, a person who
23 violates subsection (1) or (2) is guilty of a felony punishable by
24 imprisonment for not more than 2 years or a fine of not more than
25 \$1,000.00, or both.

26 (4) A person who commits a violation of subsection (1) or (2)
27 that results in personal injury is guilty of a felony punishable by
28 imprisonment for not more than 4 years or a fine of not more than
29 \$4,000.00, or both.

1 (5) A person who commits a violation of subsection (1) or (2)
2 that results in serious impairment of a body function is guilty of
3 a felony punishable by imprisonment for not more than 5 years or a
4 fine of not more than \$5,000.00, or both.

5 (6) A person who commits a violation of subsection (1) or (2)
6 that results in death is guilty of a felony punishable by
7 imprisonment for not more than 15 years or a fine of not more than
8 \$20,000.00, or both.

9 (7) Except as provided in sections 25, ~~and 25a~~, **and 25b** of
10 chapter IX of the code of criminal procedure, 1927 PA 175, MCL
11 769.25, ~~and 769.25a~~, **and 769.25b**, a person who commits a violation
12 of subsection (1) or (2) with the intent to kill or to cause
13 serious impairment of a body function of 2 or more individuals that
14 results in death is guilty of a felony punishable by imprisonment
15 for life without possibility of parole or life without possibility
16 of parole and a fine of not more than \$40,000.00. It is not a
17 defense to a charge under this subsection that the person did not
18 intend to kill a specific individual or did not intend to cause
19 serious impairment of a body function of 2 or more specific
20 individuals.

21 (8) As used in this section, "serious impairment of a body
22 function" means that phrase as defined in section 58c of the
23 Michigan vehicle code, 1949 PA 300, MCL 257.58c.

24 (9) This section does not prohibit an individual from being
25 charged with, convicted of, or punished for any other violation of
26 law that is committed by that individual while violating this
27 section.

28 Sec. 200i. (1) A person shall not manufacture, deliver,
29 possess, transport, place, use, or release any of the following for

1 an unlawful purpose:

2 (a) A harmful biological substance or a harmful biological
3 device.

4 (b) A harmful chemical substance or a harmful chemical device.

5 (c) A harmful radioactive material or a harmful radioactive
6 device.

7 (d) A harmful electronic or electromagnetic device.

8 (2) A person who violates subsection (1) is guilty of a crime
9 as follows:

10 (a) Except as provided in subdivisions (b) to (e), the person
11 is guilty of a felony punishable by imprisonment for not more than
12 15 years or a fine of not more than \$10,000.00, or both.

13 (b) If the violation directly or indirectly results in
14 property damage, the person is guilty of a felony punishable by
15 imprisonment for not more than 20 years or a fine of not more than
16 \$15,000.00, or both.

17 (c) If the violation directly or indirectly results in
18 personal injury to another individual other than serious impairment
19 of a body function or death, the person is guilty of a felony
20 punishable by imprisonment for not more than 25 years or a fine of
21 not more than \$20,000.00, or both.

22 (d) If the violation directly or indirectly results in serious
23 impairment of a body function to another individual, the person is
24 guilty of a felony punishable by imprisonment for life or any term
25 of years or a fine of not more than \$25,000.00, or both.

26 (e) Except as provided in sections 25, ~~and 25a~~, **and 25b** of
27 chapter IX of the code of criminal procedure, 1927 PA 175, MCL
28 769.25, ~~and 769.25a~~, **and 769.25b**, if the violation directly or
29 indirectly results in the death of another individual, the person

1 is guilty of a felony and shall be punished by imprisonment for
2 life without eligibility for parole and may be fined not more than
3 \$40,000.00, or both.

4 Sec. 204. (1) A person shall not send or deliver to another
5 person or cause to be taken or received by any person any kind of
6 explosive substance or any other dangerous thing with the intent to
7 frighten, terrorize, intimidate, threaten, harass, injure, or kill
8 any person, or with the intent to damage or destroy any real or
9 personal property without the permission of the property owner or,
10 if the property is public property, without the permission of the
11 governmental agency having authority over that property.

12 (2) A person who violates this section is guilty of a crime as
13 follows:

14 (a) Except as otherwise provided in subdivisions (b) to (e),
15 the person is guilty of a felony punishable by imprisonment for not
16 more than 15 years or a fine of not more than \$10,000.00, or both.

17 (b) If the violation damages the property of another person,
18 the person is guilty of a felony punishable by imprisonment for not
19 more than 20 years or a fine of not more than \$15,000.00, or both.

20 (c) If the violation causes physical injury to another
21 individual, other than serious impairment of a body function, the
22 person is guilty of a felony punishable by imprisonment for not
23 more than 25 years or a fine of not more than \$20,000.00, or both.

24 (d) If the violation causes serious impairment of a body
25 function to another individual, the person is guilty of a felony
26 punishable by imprisonment for life or any term of years or a fine
27 of not more than \$25,000.00, or both.

28 (e) Except as provided in sections 25, ~~and 25a~~, **and 25b** of
29 chapter IX of the code of criminal procedure, 1927 PA 175, MCL

1 769.25, ~~and~~ 769.25a, **and 769.25b**, if the violation causes the death
2 of another individual, the person is guilty of a felony and shall
3 be imprisoned for life without eligibility for parole and may be
4 fined not more than \$40,000.00, or both.

5 Sec. 207. (1) A person shall not place an explosive substance
6 in or near any real or personal property with the intent to
7 frighten, terrorize, intimidate, threaten, harass, injure, or kill
8 any person, or with the intent to damage or destroy any real or
9 personal property without the permission of the property owner or,
10 if the property is public property, without the permission of the
11 governmental agency having authority over that property.

12 (2) A person who violates this section is guilty of a crime as
13 follows:

14 (a) Except as otherwise provided in subdivisions (b) to (e),
15 the person is guilty of a felony punishable by imprisonment for not
16 more than 15 years or a fine of not more than \$10,000.00, or both.

17 (b) If the violation damages the property of another person,
18 the person is guilty of a felony punishable by imprisonment for not
19 more than 20 years or a fine of not more than \$15,000.00, or both.

20 (c) If the violation causes physical injury to another
21 individual, other than serious impairment of a body function, the
22 person is guilty of a felony punishable by imprisonment for not
23 more than 25 years or a fine of not more than \$20,000.00, or both.

24 (d) If the violation causes serious impairment of a body
25 function to another individual, the person is guilty of a felony
26 punishable by imprisonment for life or for any term of years or a
27 fine of not more than \$25,000.00, or both.

28 (e) Except as provided in sections 25, ~~and~~ 25a, **and 25b** of
29 chapter IX of the code of criminal procedure, 1927 PA 175, MCL

1 769.25, ~~and~~ 769.25a, **and 769.25b**, if the violation causes the death
 2 of another individual, the person is guilty of a felony and shall
 3 be imprisoned for life without eligibility for parole and may be
 4 fined not more than \$40,000.00, or both.

5 Sec. 209. (1) A person who places an offensive or injurious
 6 substance or compound in or near to any real or personal property
 7 with intent to wrongfully injure or coerce another person or to
 8 injure the property or business of another person, or to interfere
 9 with another person's use, management, conduct, or control of ~~his~~
 10 ~~or her~~ **the person's** business or property is guilty of a crime as
 11 follows:

12 (a) Except as otherwise provided in subdivisions (b) to (e),
 13 the person is guilty of a felony punishable by imprisonment for not
 14 more than 15 years or a fine of not more than \$10,000.00, or both.

15 (b) If the violation damages the property of another person,
 16 the person is guilty of a felony punishable by imprisonment for not
 17 more than 20 years or a fine of not more than \$15,000.00, or both.

18 (c) If the violation causes physical injury to another
 19 individual, other than serious impairment of a body function, the
 20 person is guilty of a felony punishable by imprisonment for not
 21 more than 25 years or a fine of not more than \$20,000.00, or both.

22 (d) If the violation causes serious impairment of a body
 23 function to another individual, the person is guilty of a felony
 24 punishable by imprisonment for life or for any term of years or a
 25 fine of not more than \$25,000.00, or both.

26 (e) Except as provided in sections 25, ~~and~~ 25a, **and 25b** of
 27 chapter IX of the code of criminal procedure, 1927 PA 175, MCL
 28 769.25, ~~and~~ 769.25a, **and 769.25b**, if the violation causes the death
 29 of another individual, the person is guilty of a felony and shall

1 be imprisoned for life without eligibility for parole and may be
2 fined not more than \$40,000.00, or both.

3 (2) A person who places an offensive or injurious substance or
4 compound in or near to any real or personal property with the
5 intent to annoy or alarm any person is guilty of a felony
6 punishable by imprisonment for not more than 5 years or a fine of
7 not more than \$3,000.00, or both.

8 Sec. 210. (1) A person shall not carry or possess an explosive
9 or combustible substance or a substance or compound that when
10 combined with another substance or compound will become explosive
11 or combustible or an article containing an explosive or combustible
12 substance or a substance or compound that when combined with
13 another substance or compound will become explosive or combustible,
14 with the intent to frighten, terrorize, intimidate, threaten,
15 harass, injure, or kill any person, or with the intent to damage or
16 destroy any real or personal property without the permission of the
17 property owner or, if the property is public property, without the
18 permission of the governmental agency having authority over that
19 property.

20 (2) A person who violates subsection (1) is guilty of a crime
21 as follows:

22 (a) Except as provided in subdivisions (b) to (e), the person
23 is guilty of a felony punishable by imprisonment for not more than
24 15 years or a fine of not more than \$10,000.00, or both.

25 (b) If the violation damages the property of another person,
26 the person is guilty of a felony punishable by imprisonment for not
27 more than 20 years or a fine of not more than \$15,000.00, or both.

28 (c) If the violation causes physical injury to another
29 individual, other than serious impairment of a body function, the

1 person is guilty of a felony punishable by imprisonment for not
2 more than 25 years or a fine of not more than \$20,000.00, or both.

3 (d) If the violation causes serious impairment of a body
4 function to another individual, the person is guilty of a felony
5 punishable by imprisonment for life or for any term of years or a
6 fine of not more than \$25,000.00, or both.

7 (e) Except as provided in sections 25, ~~and 25a~~, **and 25b** of
8 chapter IX of the code of criminal procedure, 1927 PA 175, MCL
9 769.25, ~~and 769.25a~~, **and 769.25b**, if the violation causes the death
10 of another individual, the person is guilty of a felony and shall
11 be imprisoned for life without eligibility for parole and may be
12 fined not more than \$40,000.00, or both.

13 Sec. 211a. (1) A person shall not do either of the following:

14 (a) Except as provided in subdivision (b), manufacture, buy,
15 sell, furnish, or possess a Molotov cocktail or any similar device.

16 (b) Manufacture, buy, sell, furnish, or possess any device
17 that is designed to explode or that will explode ~~upon~~**on** impact or
18 with the application of heat or a flame or that is highly
19 incendiary, with the intent to frighten, terrorize, intimidate,
20 threaten, harass, injure, or kill any person, or with the intent to
21 damage or destroy any real or personal property without the
22 permission of the property owner or, if the property is public
23 property, without the permission of the governmental agency having
24 authority over that property.

25 (2) A person who violates subsection (1) is guilty of a crime
26 as follows:

27 (a) For a violation of subsection (1)(a) **and except as**
28 **provided in subdivisions (c) to (f)**, the person is guilty of a
29 felony punishable by imprisonment for not more than 4 years or a

1 fine of not more than \$2,000.00, or both.

2 (b) For a violation of subsection (1)(b) and except as
3 provided in subdivisions (c) to (f), the person is guilty of a
4 felony punishable by imprisonment for not more than 15 years or a
5 fine of not more than \$10,000.00, or both.

6 (c) If the violation damages the property of another person,
7 the person is guilty of a felony punishable by imprisonment for not
8 more than 20 years or a fine of not more than \$15,000.00, or both.

9 (d) If the violation causes physical injury to another
10 individual, other than serious impairment of a body function, the
11 person is guilty of a felony punishable by imprisonment for not
12 more than 25 years or a fine of not more than \$20,000.00, or both.

13 (e) If the violation causes serious impairment of a body
14 function to another individual, the person is guilty of a felony
15 punishable by imprisonment for life or any term of years or a fine
16 of not more than \$25,000.00, or both.

17 (f) Except as provided in sections 25, ~~and 25a~~, **and 25b** of
18 chapter IX of the code of criminal procedure, 1927 PA 175, MCL
19 769.25, ~~and 769.25a~~, **and 769.25b**, if the violation causes the death
20 of another individual, the person is guilty of a felony and shall
21 be imprisoned for life without eligibility for parole and may be
22 fined not more than \$40,000.00, or both.

23 (3) As used in this section, "Molotov cocktail" means an
24 improvised incendiary device that is constructed from a bottle or
25 other container filled with a flammable or combustible material or
26 substance and that has a wick, fuse, or other device designed or
27 intended to ignite the contents of the device when it is thrown or
28 placed near a target.

29 Sec. 316. (1) Except as provided in sections 25, ~~and 25a~~, **and**

1 **25b** of chapter IX of the code of criminal procedure, 1927 PA 175,
2 MCL 769.25, ~~and 769.25a,~~ **and 769.25b**, a person who commits any of
3 the following is guilty of first degree murder and shall be
4 punished by imprisonment for life without eligibility for parole:

5 (a) Murder perpetrated by means of poison, lying in wait, or
6 any other willful, deliberate, and premeditated killing.

7 (b) Murder committed in the perpetration of, or attempt to
8 perpetrate, arson, criminal sexual conduct in the first, second, or
9 third degree, child abuse in the first degree, a major controlled
10 substance offense, robbery, carjacking, breaking and entering of a
11 dwelling, home invasion in the first or second degree, larceny of
12 any kind, extortion, kidnapping, vulnerable adult abuse in the
13 first or second degree under section 145n, torture under section
14 85, aggravated stalking under section 411i, or unlawful
15 imprisonment under section 349b.

16 (c) A murder of a peace officer or a corrections officer
17 committed while the peace officer or corrections officer is
18 lawfully engaged in the performance of any of ~~his or her~~ **the**
19 **officer's** duties as a peace officer or corrections officer, knowing
20 that the peace officer or corrections officer is a peace officer or
21 corrections officer engaged in the performance of ~~his or her duty~~
22 **the officer's duties** as a peace officer or corrections officer.

23 (2) Immediately following a conviction under this section, a
24 court shall enter an order committing the convicted person to the
25 jurisdiction of the department of corrections for incarceration in
26 a state correctional facility pending sentencing using a form
27 created by the state court administrative office for this purpose.
28 This order becomes effective if both of the following apply:

29 (a) The sheriff agrees to transport for final sentencing the

1 person from the state correctional facility to the county and from
2 the county back to the state correctional facility.

3 (b) The convicted person was not less than 18 years of age at
4 the time ~~he or she~~ **the person** committed the offense for which ~~he or~~
5 ~~she~~ **the person** was convicted under this section.

6 (3) A court shall hold the sentencing hearing not more than 45
7 days after a person is committed to the department of corrections
8 under subsection (2).

9 (4) As used in this section:

10 (a) "Arson" means a felony violation under chapter X.

11 (b) "Corrections officer" means any of the following:

12 (i) A prison or jail guard or other prison or jail personnel.

13 (ii) Any of the personnel of a boot camp, special alternative
14 incarceration unit, or other minimum security correctional
15 facility.

16 (iii) A parole or probation officer.

17 (c) "Major controlled substance offense" means any of the
18 following:

19 (i) A violation of section 7401(2)(a)(i) to (iii) of the public
20 health code, 1978 PA 368, MCL 333.7401.

21 (ii) A violation of section 7403(2)(a)(i) to (iii) of the public
22 health code, 1978 PA 368, MCL 333.7403.

23 (iii) A conspiracy to commit an offense listed in subparagraph
24 (i) or (ii).

25 (d) "Peace officer" means any of the following:

26 (i) A police or conservation officer of this state or a
27 political subdivision of this state.

28 (ii) A police or conservation officer of the United States.

29 (iii) A police or conservation officer of another state or a

1 political subdivision of another state.

2 Sec. 436. (1) A person shall not do either of the following:

3 (a) Willfully mingle a poison or harmful substance with a
4 food, drink, nonprescription medicine, or pharmaceutical product,
5 or willfully place a poison or harmful substance in a spring, well,
6 reservoir, or public water supply, knowing or having reason to know
7 that the food, drink, nonprescription medicine, pharmaceutical
8 product, or water may be ingested or used by a person ~~to his or her~~
9 **and cause injury to the person.**

10 (b) Maliciously inform another person that a poison or harmful
11 substance has been or will be placed in a food, drink,
12 nonprescription medicine, pharmaceutical product, spring, well,
13 reservoir, or public water supply, knowing that the information is
14 false and that it is likely that the information will be
15 disseminated to the public.

16 (2) A person who violates subsection (1)(a) is guilty of a
17 crime as follows:

18 (a) Except as provided in subdivisions (b) to (e), the person
19 is guilty of a felony punishable by imprisonment for not more than
20 15 years or a fine of not more than \$10,000.00, or both.

21 (b) If the violation damages the property of another person,
22 the person is guilty of a felony punishable by imprisonment for not
23 more than 20 years or a fine of not more than \$15,000.00, or both.

24 (c) If the violation causes physical injury to another
25 individual, other than serious impairment of a body function, the
26 person is guilty of a felony punishable by imprisonment for not
27 more than 25 years or a fine of not more than \$20,000.00, or both.

28 (d) If the violation causes serious impairment of a body
29 function to another individual, the person is guilty of a felony

1 punishable by imprisonment for life or any term of years or a fine
2 of not more than \$25,000.00, or both. As used in this subdivision,
3 "serious impairment of a body function" means that term as defined
4 in section 58c of the Michigan vehicle code, 1949 PA 300, MCL
5 257.58c.

6 (e) Except as provided in sections 25, ~~and 25a~~, **and 25b** of
7 chapter IX of the code of criminal procedure, 1927 PA 175, MCL
8 769.25, ~~and 769.25a~~, **and 769.25b**, if the violation causes the death
9 of another individual, the person is guilty of a felony and shall
10 be imprisoned for life without eligibility for parole and may be
11 fined not more than \$40,000.00, or both.

12 (3) A person who violates subsection (1)(b) is guilty of a
13 crime as follows:

14 (a) Except as provided in subdivision (b), the person is
15 guilty of a felony punishable by imprisonment for not more than 4
16 years or a fine of not more than \$2,000.00, or both.

17 (b) If the person has previously been convicted of violating
18 subsection (1)(b), the person is guilty of a felony punishable by
19 imprisonment for not more than 10 years or a fine of not more than
20 \$5,000.00, or both.

21 (4) The court may order a term of imprisonment imposed for a
22 violation of this section to be served consecutively to a term of
23 imprisonment imposed for any other violation of law arising out of
24 the same transaction as the violation of this section.

25 (5) This section does not prohibit an individual from being
26 charged with, convicted of, or punished for any other violation of
27 law that is committed by that individual while violating this
28 section.

29 Sec. 520b. (1) A person is guilty of criminal sexual conduct

1 in the first degree if ~~he or she~~ **the person** engages in sexual
2 penetration with another person and if any of the following
3 circumstances exists:

4 (a) That other person is under 13 years of age.

5 (b) That other person is at least 13 but less than 16 years of
6 age and any of the following:

7 (i) The actor is a member of the same household as the victim.

8 (ii) The actor is related to the victim by blood or affinity to
9 the fourth degree.

10 (iii) The actor is in a position of authority over the victim
11 and used this authority to coerce the victim to submit.

12 (iv) The actor is a teacher, substitute teacher, or
13 administrator of the public school, nonpublic school, school
14 district, or intermediate school district in which that other
15 person is enrolled.

16 (v) The actor is an employee or a contractual service provider
17 of the public school, nonpublic school, school district, or
18 intermediate school district in which that other person is
19 enrolled, or is a volunteer who is not a student in any public
20 school or nonpublic school, or is an employee of this state or of a
21 local unit of government of this state or of the United States
22 assigned to provide any service to that public school, nonpublic
23 school, school district, or intermediate school district, and the
24 actor uses ~~his or her~~ **the actor's** employee, contractual, or
25 volunteer status to gain access to, or to establish a relationship
26 with, that other person.

27 (vi) The actor is an employee, contractual service provider, or
28 volunteer of a child care organization, or a person licensed to
29 operate a foster family home or a foster family group home in which

1 that other person is a resident, and the sexual penetration occurs
2 during the period of that other person's residency. As used in this
3 subparagraph, "child care organization", "foster family home", and
4 "foster family group home" mean those terms as defined in section 1
5 of 1973 PA 116, MCL 722.111.

6 (c) Sexual penetration occurs under circumstances involving
7 the commission of any other felony.

8 (d) The actor is aided or abetted by 1 or more other persons
9 and either of the following circumstances exists:

10 (i) The actor knows or has reason to know that the victim is
11 mentally incapable, mentally incapacitated, or physically helpless.

12 (ii) The actor uses force or coercion to accomplish the sexual
13 penetration. Force or coercion includes, but is not limited to, any
14 of the circumstances listed in subdivision (f).

15 (e) The actor is armed with a weapon or any article used or
16 fashioned in a manner to lead the victim to reasonably believe it
17 to be a weapon.

18 (f) The actor causes personal injury to the victim and force
19 or coercion is used to accomplish sexual penetration. Force or
20 coercion includes, but is not limited to, any of the following
21 circumstances:

22 (i) When the actor overcomes the victim through the actual
23 application of physical force or physical violence.

24 (ii) When the actor coerces the victim to submit by threatening
25 to use force or violence on the victim, and the victim believes
26 that the actor has the present ability to execute these threats.

27 (iii) When the actor coerces the victim to submit by threatening
28 to retaliate in the future against the victim, or any other person,
29 and the victim believes that the actor has the ability to execute

1 this threat. As used in this subdivision, "to retaliate" includes
2 threats of physical punishment, kidnapping, or extortion.

3 (iv) When the actor engages in the medical treatment or
4 examination of the victim in a manner or for purposes that are
5 medically recognized as unethical or unacceptable.

6 (v) When the actor, through concealment or by the element of
7 surprise, is able to overcome the victim.

8 (g) The actor causes personal injury to the victim, and the
9 actor knows or has reason to know that the victim is mentally
10 incapable, mentally incapacitated, or physically helpless.

11 (h) That other person is mentally incapable, mentally
12 disabled, mentally incapacitated, or physically helpless, and any
13 of the following:

14 (i) The actor is related to the victim by blood or affinity to
15 the fourth degree.

16 (ii) The actor is in a position of authority over the victim
17 and used this authority to coerce the victim to submit.

18 (2) Criminal sexual conduct in the first degree is a felony
19 punishable as follows:

20 (a) Except as provided in subdivisions (b) and (c), by
21 imprisonment for life or for any term of years.

22 (b) For a violation that is committed by an individual 17
23 years of age or older against an individual less than 13 years of
24 age by imprisonment for life or any term of years, but not less
25 than 25 years.

26 (c) For a violation that is committed by an individual ~~18~~²¹
27 years of age or older against an individual less than 13 years of
28 age, by imprisonment for life without the possibility of parole if
29 the person was previously convicted of a violation of this section

1 or section 520c, 520d, 520e, or 520g committed against an
2 individual less than 13 years of age or a violation of law of the
3 United States, another state or political subdivision substantially
4 corresponding to a violation of this section or section 520c, 520d,
5 520e, or 520g committed against an individual less than 13 years of
6 age.

7 (d) In addition to any other penalty imposed under subdivision
8 (a) or (b), the court shall sentence the defendant to lifetime
9 electronic monitoring under section 520n.

10 (3) The court may order a term of imprisonment imposed under
11 this section to be served consecutively to any term of imprisonment
12 imposed for any other criminal offense arising from the same
13 transaction.

14 Sec. 543f. (1) A person is guilty of terrorism when that
15 person knowingly and with premeditation commits an act of
16 terrorism.

17 (2) Terrorism is a felony punishable by imprisonment for life
18 or any term of years or a fine of not more than \$100,000.00, or
19 both. However, except as provided in sections 25, ~~and 25a~~, **and 25b**
20 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL
21 769.25, ~~and 769.25a~~, **and 769.25b**, if death was caused by the
22 terrorist act, the person shall be punished by imprisonment for
23 life without eligibility for parole.

24 Enacting section 1. This amendatory act does not take effect
25 unless House Bill No. 4506 (request no. H02980'25) of the 103rd
26 Legislature is enacted into law.