

# HOUSE BILL NO. 4648

June 12, 2025, Introduced by Reps. Young, Johnsen, Aragona, Rigas, Kunse, Martin and Tsernoglou and referred to Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 33 of chapter XVII (MCL 777.33), as amended by  
2021 PA 84.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### CHAPTER XVII

Sec. 33. (1) Offense variable 3 is physical injury to a victim  
**or a companion animal**. Score offense variable 3 by determining  
which of the following subdivisions apply and by assigning the  
number of points attributable to the applicable subdivision that

- 1 has the highest number of points:
- 2 (a) A victim was killed 100 points
- 3 **(b) A companion animal was killed 50 points**
- 4 (c) ~~(b)~~ A victim was killed 50 points
- 5 **(d) A companion animal was killed 25 points**
- 6 (e) ~~(c)~~ Life threatening or permanent
- 7 incapacitating injury occurred to a victim 25 points
- 8 **(f) Life threatening or permanent incapacitating**
- 9 **injury occurred to a companion animal 15 points**
- 10 (g) ~~(d)~~ Bodily injury requiring medical treatment
- 11 occurred to a victim 10 points
- 12 **(h) Bodily injury requiring medical treatment**
- 13 **occurred to a companion animal 5 points**
- 14 (i) ~~(e)~~ Bodily injury not requiring medical
- 15 treatment occurred to a victim 5 points
- 16 **(j) ~~(f)~~ No physical injury occurred to a victim 0 points**
- 17 (2) All of the following apply to scoring offense variable 3:
- 18 (a) In multiple offender cases, if 1 offender is assessed
- 19 points for death or physical injury, all offenders must be assessed
- 20 the same number of points.
- 21 (b) Score 100 points if death **of a person** results from the
- 22 commission of a crime and homicide is not the sentencing offense.
- 23 **Score 50 points if death of a companion animal results from the**
- 24 **commission of a crime and killing a companion animal is not the**
- 25 **sentencing offense.**
- 26 (c) Score 50 points if death **of a person** results from the
- 27 commission of a crime **or score 25 points if death of a companion**
- 28 **animal results from the commission of a crime** and the offense or
- 29 attempted offense involves the operation of a vehicle, vessel, ORV,

1 snowmobile, aircraft, or locomotive and any of the following apply:

2 (i) The offender was under the influence of or visibly impaired  
3 by the use of alcoholic liquor, a controlled substance, or a  
4 combination of alcoholic liquor and a controlled substance.

5 (ii) The offender had an alcohol content of 0.08 grams or more  
6 per 100 milliliters of blood, per 210 liters of breath, or per 67  
7 milliliters of urine or, beginning 5 years after the state  
8 treasurer publishes a certification under section 625(28) of the  
9 Michigan vehicle code, 1949 PA 300, MCL 257.625, the offender had  
10 an alcohol content of 0.10 grams or more per 100 milliliters of  
11 blood, per 210 liters of breath, or per 67 milliliters of urine.

12 (iii) The offender's body contained any amount of a controlled  
13 substance listed in schedule 1 under section 7212 of the public  
14 health code, 1978 PA 368, MCL 333.7212, or a rule promulgated under  
15 that section, or a controlled substance described in section  
16 7214(a) (iv) of the public health code, 1978 PA 368, MCL 333.7214.

17 (d) Do not score 5 points if bodily injury **to a victim** is an  
18 element of the sentencing offense.

19 (3) As used in this section, "requiring medical treatment"  
20 refers to the necessity for treatment and not the victim's success  
21 in obtaining treatment.

22 Enacting section 1. This amendatory act does not take effect  
23 unless House Bill No. 4646 (request no. H02034'25) of the 103rd  
24 Legislature is enacted into law.