

THE MICHIGAN PENAL CODE (EXCERPT)

Act 328 of 1931

CHAPTER XXXIV

EXTORTION

750.213 Malicious threats to extort money.

Sec. 213. Malicious threats to extort money—Any person who shall, either orally or by a written or printed communication, maliciously threaten to accuse another of any crime or offense, or shall orally or by any written or printed communication maliciously threaten any injury to the person or property or mother, father, husband, wife or child of another with intent thereby to extort money or any pecuniary advantage whatever, or with intent to compel the person so threatened to do or refrain from doing any act against his will, shall be guilty of a felony, punishable by imprisonment in the state prison not more than 20 years or by a fine of not more than 10,000 dollars.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.213.

Former law: See section 19 of Ch. 153 of R.S. 1846, being CL 1857, § 5729; CL 1871, § 7528; How., § 9093; CL 1897, § 11488; CL 1915, § 15210; CL 1929, § 16726; Act 188 of 1897; and Act 83 of 1925.

750.213a Coercion to have abortion; prohibition; violation; penalty; other violations; definitions.

Sec. 213a. (1) A person having actual knowledge that a female individual is pregnant shall not do any of the following with the intent to coerce her to have an abortion against her will:

(a) Commit, attempt to commit, or threaten to commit any of the following violations against her or any other person:

(i) A violation of section 411h or section 411i.

(ii) An assaultive crime. As used in this subparagraph, "assaultive crime" means that term as defined in section 9a of chapter X of the code of criminal procedure, 1927 PA 175, MCL 770.9a.

(b) After being informed by a pregnant female that she does not want to obtain an abortion, engage in coercion as that term is defined in section 462a.

(2) For purposes of subsection (1)(b), information that a pregnant female does not want to obtain an abortion includes any fact that would clearly demonstrate to a reasonable person that she is unwilling to comply with a request or demand to have an abortion.

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

(a) For a violation of subsection (1)(a), the person is guilty of a crime punishable in the same manner as for the underlying offense committed, attempted, or threatened.

(b) Except as provided in subdivision (c), for a violation of subsection (1)(b), the person is guilty of a misdemeanor punishable by a fine of not more than \$5,000.00.

(c) If the person is the father or putative father of the unborn child, the pregnant individual is less than 18 years of age at the time of the violation, and the person is 18 years of age or older at the time of the violation, the person is guilty of a misdemeanor punishable by a fine of not more than \$10,000.00.

(4) This section does not prohibit the person from being charged with, convicted of, or punished for any other violation of law committed while violating this section.

(5) As used in this section:

(a) "Course of conduct" means a pattern of conduct composed of a series of 2 or more separate noncontinuous acts evidencing a continuity of purpose.

(b) "Threaten" means to make 2 or more statements or to engage in a course of conduct that would cause a reasonable person to believe that the individual is likely to act in accordance with the statements or the course of conduct. Threaten does not include constitutionally protected speech or any generalized statement regarding a lawful pregnancy option.

(c) "Unborn child" means a live human being in utero regardless of his or her gestational stage of development.

History: Add. 2016, Act 149, Eff. Sept. 7, 2016.

750.213b Sexual extortion.

Sec. 213b. (1) Except as provided in subsections (2) and (3), an individual who intentionally and maliciously threatens to release, exhibit, create, or distribute sexually explicit visual material of another individual in order to compel or attempt to compel another individual to do any act or refrain from doing any act against the individual's will with the intent to obtain sexually explicit visual material or anything else of

value is guilty of a felony punishable as follows:

(a) For a first offense, by imprisonment for not more than 5 years, a fine of not more than \$5,000.00, or both.

(b) For a second offense, by imprisonment for not more than 10 years, a fine of not more than \$10,000.00, or both.

(c) For a third or subsequent offense, by imprisonment for not more than 20 years, a fine of not more than \$20,000.00, or both.

(2) If an individual commits a violation of subsection (1) and either of the following factors apply, the individual is guilty of a felony punishable by imprisonment for not more than 25 years:

(a) The victim is less than 18 years of age or a vulnerable adult and the individual who committed the violation is more than 18 years of age.

(b) The victim suffers serious physical harm, serious mental harm, or death as a result of the violation of subsection (1).

(3) If the individual convicted of a violation of subsection (1) is less than 18 years of age, the individual is guilty of a misdemeanor punishable by imprisonment for not more than 1 year. The court may order behavioral health counseling from an appropriate agency or provider as part of an individual's sentence under this subsection.

(4) As used in this section:

(a) "Nudity" means displaying an individual's genitalia or anus or if the individual is a female, her nipples or areola.

(b) "Serious mental harm" means a mental injury that results in a substantial alteration of mental functioning that is manifested in a visibly demonstrable manner.

(c) "Serious physical harm" means a physical injury that threatens the life of a victim, causes substantial bodily disfigurement, or seriously impairs the functioning or well-being of the victim.

(d) "Sexually explicit visual material" means a photograph or video that depicts nudity, erotic fondling, sexual intercourse, or sadomasochistic abuse.

(e) "Vulnerable adult" means that term as defined in section 145m.

History: Add. 2024, Act 261, Eff. Apr. 2, 2025.

750.214 Extortion by public officers.

Sec. 214. Extortion by public officers—Any person who shall wilfully and corruptly demand and receive from another for performing any service, or any official duty, for which the fee or compensation is established by law, any greater fee or compensation than is allowed or provided for the same, and any public officer, for whom a salary is provided by law in full compensation for all services required to be performed by him, or by his clerks or deputies, who shall wilfully and corruptly demand and receive from any person any sum of money as a fee or compensation for any services required by law to be performed by him in his said office, or by his clerks or deputies, shall be guilty of a misdemeanor; but no prosecution for such offense shall be sustained unless it shall be commenced within 1 year next after the offense was committed.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.214.

Former law: See section 22 of Ch. 156 of R.S. 1846, being CL 1857, § 5841; CL 1871, § 7674; How., § 9256; CL 1897, § 11326; CL 1915, § 14993; CL 1929, § 16584; and Act 179 of 1863.