

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.7416 Recruiting, inducing, soliciting, or coercing minor to commit felony; penalties; exception.

Sec. 7416. (1) A person 17 years of age or over who recruits, induces, solicits, or coerces a minor less than 17 years of age to commit or attempt to commit any act that would be a felony under this part if committed by an adult is guilty of a felony and may be punished by a fine of not more than the fine authorized by this part for an adult who commits such an act, and shall be punished, subject to subsection (3), as follows:

(a) Except as provided in subdivision (b), by imprisonment for not less than 1/2 of the maximum term of imprisonment authorized by this part for an adult who commits such an act and not more than the maximum term of imprisonment authorized by this part for an adult who commits such an act.

(b) If the act to be committed or attempted by the minor is a violation of section 7401(2)(a)(i), by imprisonment for life.

(2) A person subject to a sentence under subsection (1) shall not be subject to a delayed sentence or a suspended sentence and shall not be eligible for probation.

(3) The court may depart from a minimum term of imprisonment authorized under subsection (1)(a) or (b) if the court finds on the record that there are substantial and compelling reasons to do so.

(4) Subsection (1)(a) does not apply to an act that is a violation of section 7401(2)(d) and that involves the manufacture, delivery, or possession with intent to deliver of marihuana. This section applies whether or not the person 17 years of age or older knew or had reason to know the age of the minor less than 17 years of age.

History: Add. 1988, Act 17, Eff. June 1, 1988;—Am. 1995, Act 95, Eff. Aug. 1, 1995.

Popular name: Act 368