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EXPAND DEF. OF 1ST DEGREE CHILD ABUSE

House Bill 4468

Sponsor: Rep. William Van Regenmorter

House Bill 4469

Sponsor: Rep. Mike Nofs

Committee: Criminal Justice

Complete to 9-26-03

A SUMMARY OF HOUSE BILLS 4468 AND 4469 AS INTRODUCED 3-27-03

Currently, the Michigan Penal Code makes first-degree child abuse a felony punishable by imprisonment for not more than 15 years. The crime is defined as knowingly or intentionally causing serious physical or serious mental harm to a child.

House Bill 4468 would amend the code (MCL 750.136b) to expand the definition of first-degree child abuse to include knowingly or intentionally committing an act that causes serious physical or serious mental harm to a child. The penalty would remain the same.

(Under the code, “serious physical harm” is defined as any physical injury to a child that seriously impairs the child’s health or physical well-being, including, but not limited to, brain damage, a skull or bone fracture, subdural hemorrhage or hematoma, dislocation, sprain, internal injury, poisoning, burn or scald, or severe cut. “Serious mental harm” is an injury to a child’s mental condition or welfare that is not necessarily permanent but results in visibly demonstrable manifestations of a substantial disorder of thought or mood which significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life.)

House Bill 4469 would amend the corresponding sentencing guidelines portion of the Code of Criminal Procedure (MCL 777.16g) to make technical changes to the citations referenced for violations of first and second degree child abuse. The bill is tie-barred to House Bill 4468.

Analyst: S. Stutzky

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