

HOUSE BILL No. 6553

(As amended November 30, 2006)

September 20, 2006, Introduced by Reps. Stakoe, Van Regenmorter, Schuitmaker, Hansen, Sheen, David Law, Jones, Pearce, Caul, Marleau, Casperson, Brandenburg, Newell, Elsenheimer, Lipsey, Bieda, Condino and Gleason and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 39 of chapter XVII (MCL 777.39), as added by 1998 PA 317.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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CHAPTER XVII

Sec. 39. (1) Offense variable 9 is number of victims. Score offense variable 9 by determining which of the following apply and by assigning the number of points attributable to the one that has the highest number of points:

- (a) Multiple deaths occurred 100 points
- (b) There were 10 or more victims 25 points
 [WHO WERE PLACED IN DANGER OF PHYSICAL INJURY OR DEATH, OR 20 OR MORE VICTIMS WHO WERE PLACED IN DANGER OF PROPERTY LOSS]

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- 1 (c) There were 2 to 9 victims 10 points
 **[WHO WERE PLACED IN DANGER OF PHYSICAL
 INJURY OR DEATH, OR 4 TO 19 VICTIMS WHO
 WERE PLACED IN DANGER OF PROPERTY LOSS]**
- 2 (d) There were fewer than 2 victims 0 points
 **[WHO WERE PLACED IN DANGER OF PHYSICAL
 INJURY OR DEATH, OR FEWER THAN 4 VICTIMS
 WHO WERE PLACED IN DANGER OF PROPERTY
 LOSS]**
- 3 (2) All of the following apply to scoring offense variable
4 9:
- 5 (a) Count each person who was placed in danger of **PHYSICAL**
6 injury or loss of life **OR PROPERTY** as a victim.
- 7 (b) Score 100 points only in homicide cases.