

**SUBSTITUTE FOR
HOUSE BILL NO. 4265**

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 16g of chapter XVII (MCL 777.16g), as amended
by 2018 PA 374.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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CHAPTER XVII

Sec. 16g. (1) This chapter applies to the following felonies
enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.135	Person	D	Exposing children with intent to injure or abandon	10



1	750.135a (2) (c)	Person	D	Leaving child	10
2				unattended in vehicle	
3				resulting in serious	
4				physical harm	
5	750.135a (2) (d)	Person	B	Leaving child	15
6				unattended in vehicle	
7				resulting in death	
8	750.136	Person	B	Female genital	15
9				mutilation violation	
10	750.136a	Person	B	Transporting person	15
11				for purpose of female	
12				genital mutilation	
13	750.136b (2)	Person	A	First degree child	Life
14				abuse	
15	750.136b (4) (a)	Person	C	Second degree child	10
16				abuse – first offense	
17	750.136b (4) (b)	Person	B	Second degree child	20
18				abuse – second or	
19				subsequent offense	
20	750.136b (6)	Person	G	Third degree child	2
21				abuse	
22	750.136c	Person	B	Buying or selling an	20
23				individual	
24	750.136d (1) (a)	Person	A	First degree child	Life
25				abuse in presence of	
26				another child	



1	750.136d(1) (b)	Person	D	Second degree child	10
2				abuse in presence of	
3				another child - first	
4				offense	
5	750.136d(1) (c)	Person	B	Second degree child	20
6				abuse in presence of	
7				another child - second	
8				or subsequent offense	
9	750.136d(1) (d)	Person	G	Third degree child	2
10				abuse in presence of	
11				another child	
12	750.145a	Person	F	Soliciting child to	4
13				commit an immoral act	
14	750.145b	Person	D	Accosting children for	10
15				immoral purposes with	
16				prior conviction	
17	750.145c (2) (a)	Person	B	Producing child	20
18				sexually abusive	
19				activity or material	
20	750.145c (2) (b)	Person	B	Aggravated producing	25
21				of child sexually	
22				abusive activity or	
23				material	
24	750.145c (3) (a)	Person	D	Distributing,	7
25				promoting, or	
26				financing the	
27				distribution of child	
28				sexually abusive	
29				activity or material	



1	750.145c(3)(b)	Person	C	Aggravated	15
2				distributing,	
3				promoting, or	
4				financing the	
5				distribution of child	
6				sexually abusive	
7				activity or material	
8	750.145c(4)(a)	Person	F	Possessing child	4
9				sexually abusive	
10				material	
11	750.145c(4)(b)	Person	B	Aggravated possession	10
12				of child sexually	
13				abusive material	
14	750.145d(2)(b)	Variable	G	Using internet or	2
15				computer to commit	
16				crime punishable by a	
17				maximum term of	
18				imprisonment of at	
19				least 1 year but less	
20				than 2 years	
21	750.145d(2)(c)	Variable	F	Using internet or	4
22				computer to commit	
23				crime punishable by a	
24				maximum term of	
25				imprisonment of at	
26				least 2 years but less	
27				than 4 years	



1	750.145d(2) (d)	Variable	D	Using internet or	10
2				computer to commit	
3				crime punishable by a	
4				maximum term of	
5				imprisonment of at	
6				least 4 years but less	
7				than 10 years	
8	750.145d(2) (e)	Variable	C	Using internet or	15
9				computer to commit	
10				crime punishable by a	
11				maximum term of	
12				imprisonment of at	
13				least 10 years but	
14				less than 15 years	
15	750.145d(2) (f)	Variable	B	Using internet or	20
16				computer to commit	
17				crime punishable by a	
18				maximum term of	
19				imprisonment of at	
20				least 15 years or for	
21				life	
22	750.145n(1)	Person	C	First degree	15
23				vulnerable adult abuse	
24	750.145n(2)	Person	F	Second degree	4
25				vulnerable adult abuse	
26	750.145n(3)	Person	G	Third degree	2
27				vulnerable adult abuse	



1	750.145o	Person	E	Death of vulnerable	5
2				adult caused by	
3				unlicensed caretaker	
4	750.145p(1)	Person	G	Commingling funds of,	2
5				obstructing	
6				investigation	
7				regarding, or filing	
8				false information	
9				regarding, vulnerable	
10				adult	
11	750.145p(2)	Person	G	Retaliation or	2
12				discrimination by	
13				caregiver against	
14				vulnerable adult	
15	750.145p(5)	Person	E	Caregiver or licensee	5
16				violation against	
17				vulnerable adult –	
18				second or subsequent	
19				offense	
20	750.145s(2)	Person	F	Elder abuse or	4
21				vulnerable adult abuse	
22				causing physical	
23				injury, pain, or	
24				mental suffering	
25	750.145s(3)	Person	C	Elder abuse or	15
26				vulnerable adult abuse	
27				causing serious	
28				impairment of a body	
29				function	



1	750.145s (4)	Person	A	Elder abuse or	25
2				vulnerable adult abuse	
3				causing death	
4	750.145s (5)	Person	F	Restraining an elder	4
5				adult or vulnerable	
6				adult by violence,	
7				menace, fraud, or	
8				deceit	
9	750.147b	Person	G	Ethnic intimidation	2

10 (2) For a violation of section 145d of the Michigan penal
 11 code, 1931 PA 328, MCL 750.145d, determine the offense category,
 12 offense variable level, and prior record variable level based on
 13 the underlying offense.

14 Enacting section 1. This amendatory act takes effect 90 days
 15 after the date it is enacted into law.

16 Enacting section 2. This amendatory act does not take effect
 17 unless House Bill No. 4254 of the 100th Legislature is enacted into
 18 law.

