

HOUSE BILL NO. 4265

February 26, 2019, Introduced by Reps. Farrington, Guerra, Anthony, Wozniak, Pagan, Bolden, Hope, Markkanen, Elder, Liberati, Manoogian, Shannon, Ellison, Clemente, Gay-Dagnogo, Crawford, Sabo, Sneller, Yancey, Kuppa, Hood, Sowerby, Stone, Cynthia Johnson, Vaupel, Lasinski, Calley, Yaroch, Whitsett, Filler, Cherry, Coleman and Neeley and referred to the Committee on Families, Children, and Seniors.

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 2017 PA 74.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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CHAPTER XVII

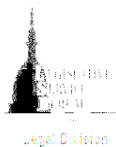
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Sec. 16g. (1) This chapter applies to the following felonies
enumerated in chapter 750 of the Michigan Compiled Laws:

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M.C.L.	Category	Class Description	Stat Max
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1	750.135	Person	D	Exposing children with	
2				intent to injure or	
3				abandon	10
4	750.135a(2)(c)	Person	D	Leaving child	
5				unattended in vehicle	
6				resulting in serious	
7				physical harm	10
8	750.135a(2)(d)	Person	B	Leaving child	
9				unattended in vehicle	
10				resulting in death	15
11	750.136	Person	B	Female genital	
12				mutilation violation	15
13	750.136a	Person	B	Transporting person	
14				for purpose of female	
15				genital mutilation	15
16	750.136b(2)	Person	A	First degree child	
17				abuse	Life
18	750.136b(4)(a)	Person	C	Second degree child	
19				abuse – first offense	10
20	750.136b(4)(b)	Person	B	Second degree child	
21				abuse – second or	
22				subsequent offense	20
23	750.136b(6)	Person	G	Third degree child	
24				abuse	2
25	750.136c	Person	B	Buying or selling an	
26				individual	20
27	750.136d(1)(a)	Person	A	First degree child	
28				abuse in presence of	
29				another child	Life



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



1	750.145d(2) (b)	Variable	G	Using internet or	
2				computer to commit	
3				crime punishable by a	
4				maximum term of	
5				imprisonment of at	
6				least 1 year but less	
7				than 2 years	2
8	750.145d(2) (c)	Variable	F	Using internet or	
9				computer to commit	
10				crime punishable by a	
11				maximum term of	
12				imprisonment of at	
13				least 2 years but less	
14				than 4 years	4
15	750.145d(2) (d)	Variable	D	Using internet or	
16				computer to commit	
17				crime punishable by a	
18				maximum term of	
19				imprisonment of at	
20				least 4 years but less	
21				than 10 years	10
22	750.145d(2) (e)	Variable	C	Using internet or	
23				computer to commit	
24				crime punishable by a	
25				maximum term of	
26				imprisonment of at	
27				least 10 years but	
28				less than 15 years	15



1	750.145d(2) (f)	Variable	B	Using internet or	
2				computer to commit	
3				crime punishable by a	
4				maximum term of	
5				imprisonment of at	
6				least 15 years or for	
7				life	20
8	750.145n(1)	Person	C	First degree	
9				vulnerable adult abuse	15
10	750.145n(2)	Person	F	Second degree	
11				vulnerable adult abuse	4
12	750.145n(3)	Person	G	Third degree	
13				vulnerable adult abuse	2
14	750.145o	Person	E	Death of vulnerable	
15				adult caused by	
16				unlicensed caretaker	5
17	750.145p(1)	Person	G	Commingling funds of,	
18				obstructing	
19				investigation	
20				regarding, or filing	
21				false information	
22				regarding, vulnerable	
23				adult	2
24	750.145p(2)	Person	G	Retaliation or	
25				discrimination by	
26				caregiver against	
27				vulnerable adult	2



1	750.145p(5)	Person	E	Caregiver or licensee	
2				violation against	
3				vulnerable adult –	
4				second or subsequent	
5				offense	5
6	750.145s(2)	Person	F	Elder abuse or	
7				vulnerable adult abuse	
8				causing physical	
9				injury, pain, or	
10				mental suffering	4
11	750.145s(3)	Person	C	Elder abuse or	
12				vulnerable adult abuse	
13				causing serious	
14				impairment of a body	
15				function	15
16	750.145s(4)	Person	A	Elder abuse or	
17				vulnerable adult abuse	
18				causing death	25
19	750.145s(5)	Person	F	Restraining an elder	
20				adult or vulnerable	
21				adult by violence,	
22				menace, fraud, or	
23				deceit	4
24	750.147b	Person	G	Ethnic intimidation	2

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

29 Enacting section 1. This amendatory act takes effect 90 days



1 after the date it is enacted into law.

2 Enacting section 2. This amendatory act does not take effect
3 unless Senate Bill No.____ or House Bill No.____ (request no.
4 00483'19) of the 100th Legislature is enacted into law.

