

HOUSE BILL NO. 5643

March 12, 2020, Introduced by Reps. Bollin, Rendon, Calley, Glenn, Afendoulis, Whiteford, Bellino, Kahle, Filler, Leutheuser, Allor, Farrington, Yaroach, Hammoud, Whitsett, Crawford, Alexander and Cambensy and referred to the Committee on Judiciary.

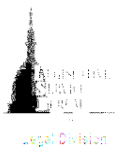
A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 16w of chapter XVII (MCL 777.16w), as amended
by 2016 PA 486.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XVII

Sec. 16w. (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
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ELF



05760'20 b

1	750.451(3)	Pub ord	G	Prostitution — various	21
2	750.451(2) (a)			offenses — third or	
3				subsequent	
4				offense Commercial	
5				sexual activity	
6				violation	
7	750.451(2) (b)	Pub ord	G	Commercial sexual	2
8				activity violation -	
9				second offense	
10	750.451(2) (c)	Pub ord	F	Commercial sexual	4
11				activity violation -	
12				third or subsequent	
13				offense	
14	750.451(3) (b)	Person	G	Taking or detaining	1
15				person less than 16 in	
16				a place used for	
17				commercial sexual	
18				activity - second	
19				offense	
20	750.451(3) (c)	Person	G	Taking or detaining	2
21				person less than 16 in	
22				a place used for	
23				commercial sexual	
24				activity - third or	
25				subsequent offense	



1	750.451(4)	Person	E	Soliciting a person	5
2				under 18 years of age	
3				to commit	
4				prostitution engage in	
5				commercial sexual	
6				activity	
7	750.452	Pub ord	E	Keeping a house of	5
8				prostitution for	
9				purposes of commercial	
10				sexual activity	
11	750.455	Pub ord	B	Pandering	20
12	750.456	Person	B	Placing spouse into	20
13				prostitution commercial	
14				sexual activity	
15	750.457	Pub ord	B	Accepting earnings of	20
16				a prostitute person	
17				engaged in commercial	
18				sexual activity	
19	750.458	Person	B	Prostitution	20
20				Commercial sexual	
21				activity - detaining	
22				person for debt	
23	750.459(1)	Person	B	Transporting a person	20
24				for prostitution to	
25				engage in commercial	
26				sexual activity	



1	750.459(2)	Person	E	Selling travel	5
2				services to facilitate	
3				prostitution	
4				commercial sexual	
5				activity or human	
6				trafficking in other	
7				jurisdictions	
8	750.459(3)	Person	D	Selling travel	10
9				services to facilitate	
10				prostitution	
11				commercial sexual	
12				activity or human	
13				trafficking in other	
14				jurisdictions	
15				involving a minor	
16	750.462f(1) (a)	Person	D	Human trafficking	10
17				violation	
18	750.462f(1) (b)	Person	C	Human trafficking	15
19				violation resulting in	
20				bodily injury	
21	750.462f(1) (c)	Person	B	Human trafficking	20
22				violation resulting in	
23				serious bodily injury	
24	750.462f(1) (d)	Person	A	Human trafficking	Life
25				violation involving	
26				death or the	
27				commission of certain	
28				felonies	



1	750.462f(2)	Person	B	Obtaining a minor for	20
2				commercial sexual	
3				activity or for forced	
4				labor or services	
5	750.462f(3)	Person	Variable	Attempting,	Variable
6			e	conspiring, or	
7				soliciting another to	
8				violate human	
9				trafficking laws	
10	750.465a(1) (b)	Property	G	Operating audiovisual	2
11				recording device in a	
12				theatrical facility –	
13				second offense	
14	750.465a(1) (c)	Property	F	Operating audiovisual	4
15				recording device in a	
16				theatrical facility –	
17				third or subsequent	
18				offense	

19 (2) For a violation of section 462f(3) of the Michigan penal
20 code, 1931 PA 328, MCL 750.462f, determine the offense category,
21 offense variable level, and prior record variable level based on
22 the underlying offense.

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

25 Enacting section 2. This amendatory act does not take effect
26 unless Senate Bill No. ____ or House Bill No. 5655 (request no.
27 05968'20) of the 100th Legislature is enacted into law.

