

SENATE BILL NO. 107

March 01, 2023, Introduced by Senators DALEY, ALBERT, WEBBER, VICTORY, LAUWERS, OUTMAN, BELLINO, RUNESTAD, THEIS and LINDSEY and referred to the Committee on Government Operations.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16d and 16l of chapter XVII (MCL 777.16d and 777.16l), section 16d as amended by 2016 PA 88 and section 16l as amended by 2016 PA 150.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XVII

2 Sec. 16d. This chapter applies to the following felonies
3 enumerated in chapter 750 of the Michigan Compiled Laws:

1	M.C.L.	Category	Class	Description	Stat Max
2	750.81(5)	Person	E	Domestic assault or	5
3				assault of a pregnant	
4				individual with prior	
5				convictions	
6	750.81a(3)	Person	E	Aggravated domestic	5
7				assault with prior	
8				convictions	
9	750.81d(1)	Person	G	Assaulting, resisting,	2
10				or obstructing certain	
11				persons	
12	750.81d(2)	Person	F	Assaulting, resisting,	4
13				or obstructing certain	
14				persons causing injury	
15	750.81d(3)	Person	C	Assaulting, resisting,	15
16				or obstructing certain	
17				persons causing	
18				serious impairment	
19	750.81d(4)	Person	B	Assaulting, resisting,	20
20				or obstructing certain	
21				persons causing death	
22	750.81e(2)	Person	G	Assault on utility	2
23				worker causing bodily	
24				injury requiring	
25				medical attention	
26	750.81e(3)	Person	E	Assault on utility	5
27				worker causing serious	
28				impairment of a body	
29				function	

1	750.82 (1)	Person	F	Felonious assault	4
2	750.82 (2)	Person	F	Felonious assault –	4
3				weapon-free school	
4				zone	
5	750.83	Person	A	Assault with intent to	Life
6				murder	
7	750.84 (1) (a)	Person	D	Assault with intent to	10
8				do great bodily harm	
9				less than murder	
10	750.84 (1) (b)	Person	D	Assault by	10
11				strangulation or	
12				suffocation	
13	750.85	Person	A	Torture	Life
14	750.86	Person	D	Assault with intent to	10
15				maim	
16	750.87	Person	D	Assault with intent to	10
17				commit a felony	
18	750.88	Person	C	Assault with intent to	15
19				commit unarmed robbery	
20	750.89	Person	A	Assault with intent to	Life
21				commit armed robbery	
22	750.90	Person	D	Sexual intercourse	10
23				under pretext of	
24				medical treatment	

1	750.90a	Person	A	Assault against a	Life
2				pregnant individual	
3				causing miscarriage,	
4				stillbirth, or death	
5				to embryo or fetus	
6				with intent or	
7				recklessness	
8	750.90b(a)	Person	C	Assault against a	15
9				pregnant individual	
10				resulting in	
11				miscarriage,	
12				stillbirth, or death	
13				to embryo or fetus	
14	750.90b(b)	Person	D	Assault against a	10
15				pregnant individual	
16				resulting in great	
17				bodily harm to embryo	
18				or fetus	
19	750.90c(a)	Person	C	Gross negligence	15
20				against a pregnant	
21				individual resulting	
22				in miscarriage,	
23				stillbirth, or death	
24				to embryo or fetus	
25	750.90c(b)	Person	E	Gross negligence	5
26				against a pregnant	
27				individual resulting	
28				in great bodily harm	
29				to embryo or fetus	

1	750.90d(a)	Person	C	Operating a vehicle	15
2				under the influence or	
3				while impaired causing	
4				miscarriage,	
5				stillbirth, or death	
6				to embryo or fetus	
7	750.90d(b)	Person	E	Operating a vehicle	5
8				under the influence or	
9				while impaired causing	
10				serious or aggravated	
11				injury to embryo or	
12				fetus	
13	750.90e	Person	G	Careless or reckless	2
14				driving causing	
15				miscarriage,	
16				stillbirth, or death	
17				to embryo or fetus	
18	750.90g(3)	Person	A	Performance of	Life
19				procedure on live	
20				infant with intent to	
21				cause death	
22	750.90h	Person	GF	Performing or	24
23				assisting in	
24				performance of	
25				partial-birth abortion	
26	750.91	Person	A	Attempted murder	Life
27	Sec. 16l. (1) This chapter applies to the following felonies				
28	enumerated in chapter 750 of the Michigan Compiled Laws:				
29	M.C.L.	Category	Class	Description	Stat Max

1	750.213	Person	B	Threats to extort money	20
2					
3	750.213a (3) (a)	Person	Variable	Coercing female pregnant woman to have an abortion against her will by committing underlying offense against woman	Variable
4					
5					
6					
7					
8					
9	750.213a (3) (b)	Person	F	Coercing pregnant woman to have an abortion against her will by specific actions	4
10					
11					
12					
13					
14	750.213a (3) (c)	Person	E	Coercing pregnant woman to have an abortion against her will if coercion is undertaken by putative father who is more than 18 years of age and pregnant woman is less than 18 years of age	5
15					
16					
17					
18					
19					
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21					
22					
23					
24	750.215 (3)	Pub saf	F	Impersonating peace officer	4
25					
26	750.217b	Pub saf	G	Impersonating public utility employee	2
27					

1	750.217c(3)	Pub ord	H	Impersonating public	2
2				officer or employee –	
3				subsequent conviction	
4	750.217c(4)	Pub ord	G	Impersonating public	4
5				officer or employee –	
6				third or subsequent	
7				conviction	
8	750.217d	Pub saf	C	False representation	15
9				or practice as health	
10				professional	
11	750.217e	Pub ord	G	Impersonating a DHS	2
12				DHHS employee	
13	750.217f	Pub saf	G	Impersonating a	2
14				firefighter or	
15				emergency medical	
16				service personnel	
17	750.218(4)	Property	E	False pretenses	5
18				involving \$1,000 or	
19				more but less than	
20				\$20,000 or \$200 or	
21				more but less than	
22				\$1,000 with prior	
23				convictions	

1	750.218(5)	Property	C	False pretenses	15
2				involving \$20,000 or	
3				more but less than	
4				\$50,000 or \$1,000 or	
5				more but less than	
6				\$20,000 with prior	
7				convictions	
8	750.218(6)	Property	C	False pretenses	15
9				involving a value of	
10				\$50,000 or more but	
11				less than \$100,000 or	
12				\$20,000 or more but	
13				less than \$50,000	
14				with prior	
15				convictions	
16	750.218(7)	Property	B	False pretenses	20
17				involving a value of	
18				\$100,000 or more or	
19				\$50,000 or more but	
20				less than \$100,000	
21				with prior	
22				convictions	
23	750.219a(2)(c)	Property	E	Telecommunications	5
24				fraud with 1 or more	
25				prior convictions or	
26				involving a value of	
27				\$1,000 to \$20,000	

1	750.219a (2) (d)	Property	D	Telecommunications	10
2				fraud with 2 or more	
3				prior convictions or	
4				involving a value of	
5				\$20,000 or more	
6	750.219d(4) (a)	Pub ord	C	Residential mortgage	15
7				fraud violation	
8				involving loan value	
9				of \$100,000 or less	
10	750.219d(4) (b)	Pub ord	B	Residential mortgage	20
11				fraud violation	
12				involving loan value	
13				of more than \$100,000	
14	750.219e	Property	F	Receiving,	4
15				possessing,	
16				preparing, or	
17				submitting an	
18				unauthorized credit	
19				application or	
20				receiving or	
21				possessing proceeds	
22	750.219f	Property	F	Receiving with intent	4
23				to forward,	
24				possessing with	
25				intent to forward, or	
26				forwarding an	
27				unauthorized credit	
28				application or	
29				proceeds	

1 (2) For a violation of section 213a(3)(a) of the Michigan
2 penal code, 1931 PA 328, MCL 750.213a, determine the offense class,
3 offense variable level, and prior record variable level based on
4 the underlying offense.

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

7 Enacting section 2. This amendatory act does not take effect
8 unless Senate Bill No. 106 of the 102nd Legislature is enacted into
9 law.