

Act No. 92
Public Acts of 2024
Approved by the Governor
July 23, 2024
Filed with the Secretary of State
July 23, 2024
EFFECTIVE DATE: October 21, 2024

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2024**

Introduced by Reps. Mentzer, Farhat, Shannon, Aragona, Tyrone Carter, Haadsma, Wilson, Arbit, Snyder, Liberati, Breen, Hood, BeGole and Skaggs

ENROLLED HOUSE BILL No. 5182

AN ACT to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 116 (MCL 750.116).

The People of the State of Michigan enact:

Sec. 116. (1) Except as provided in subsection (2), an individual who knowingly possesses any nitroglycerine, or other explosive, thermite, engine, machine, tool or implement, device, chemical, or substance, adapted and designed for cutting or burning through, forcing, or breaking open, any building, room, vault, safe, or other depository, with the intent to use it to steal any money or other property, knowing the same to be adapted and designed for the purpose of cutting or burning through, forcing, or breaking open any building, room, vault, safe, or other depository, with intent to use or employ the same to steal is guilty of a felony, punishable by imprisonment for not more than 10 years.

(2) An individual who knowingly possesses any nitroglycerine, or other explosive, thermite, engine, machine, tool or implement, device, chemical, or substance, adapted and designed for cutting or burning through, forcing, or breaking open a motor vehicle, or an electronic device or tool that is designed or adapted to unlock or turn on a motor vehicle, with the intent to steal a motor vehicle is guilty of a felony punishable by imprisonment for not more than 5 years.

(3) An individual who, in association with another individual or group of individuals as part of a criminal organization, knowingly possesses any nitroglycerine, or other explosive, thermite, engine, machine, tool or implement, device, chemical, or substance, adapted and designed for cutting or burning through, forcing, or breaking open a motor vehicle, or an electronic device or tool that is designed or adapted to unlock or turn on a motor vehicle, with the intent to steal more than 1 motor vehicle is guilty of a felony punishable by imprisonment for not more than 10 years.

(4) This section does not prohibit an individual from being charged with, convicted of, or punished for any other violation of law that is committed by that individual while violating this section.

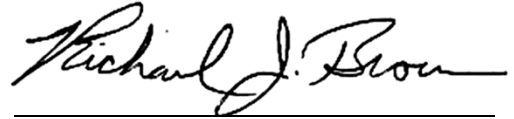
(5) As used in this section:

(a) “Depository” does not include a motor vehicle.

(b) "Electronic device or tool" means a device or tool with the purpose of unlocking or turning on a motor vehicle and does not include a previously issued activated electronic card, key, or other electronic device assigned to the lawful owner of the vehicle.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor