

**SUBSTITUTE FOR
HOUSE BILL NO. 5297**

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 2002 PA 47.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1
2
3
4
5
6
7
8
9
10
11

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
750.136b(2)	Person	B	Child abuse -- first degree		15
750.136b(4)	Person	F	Child abuse -- second degree		4

HB5297, As Passed House, June 27, 2002

House Bill No. 5297				2	
1 2	750.136b(5)	Person	G	Child abuse -- third degree	2
3 4	750.136c	Person	B	Buying or selling an individual	20
5 6	750.145a	Person	F	Soliciting child to commit an immoral act	4
7 8 9	750.145b	Person	D	Accosting children for immoral purposes with prior conviction	10
10 11 12	750.145c(2)	Person	B	Child sexually abusive activity or materials -- active involvement	20
13 14 15 16	750.145c(3)	Person	D	Child sexually abusive activity or materials -- distributing, promoting, or financing	7
17 18 19	750.145C(4)	PERSON	F	CHILD SEXUALLY ABUSIVE ACTIVITIES OR MATERIALS -- POSSESSION	4
20 21 22 23 24 25	750.145d(2)(b)	Variable	G	Using internet or computer to commit crime punishable by a maximum term of imprisonment of at least 1 year but less than 2 years	2
26 27 28 29 30 31	750.145d(2)(c)	Variable	F	Using internet or computer to commit crime punishable by a maximum term of imprisonment of at least 2 years but less than 4 years	4
32 33 34 35 36 37	750.145d(2)(d)	Variable	D	Using internet or computer to commit crime punishable by a maximum term of imprisonment of at least 4 years but less than 10 years	10
38 39 40 41 42 43	750.145d(2)(e)	Variable	C	Using internet or computer to commit crime punishable by a maximum term of imprisonment of at least 10 years but less than 15 years	15

HB5297, As Passed House, June 27, 2002

Sub. HB 5297 (H-1) as amended June 19, 2002 3

1	750.145d(2)(f)	Variable	B	Using internet or	
2				computer to commit	
3				crime punishable by a	
4				maximum term of impris-	
5				onment of at least	
6				15 years or for life	20
7	750.145n(1)	Person	C	Vulnerable adult abuse --	
8				first degree	15
9	750.145n(2)	Person	F	Vulnerable adult abuse --	
10				second degree	4
11	750.145n(3)	Person	G	Vulnerable adult abuse --	
12				third degree	2
13	750.145o	Person	E	Death of vulnerable adult	
14				caused by unlicensed	
15				caretaker	5
16	750.145p(1)	Person	G	Vulnerable adult -- com-	
17				mingling funds,	
18				obstructing investiga-	
19				tion, or filing false	
20				information	2
21	750.145p(2)	Person	G	Retaliation or discrimi-	
22				nation by caregiver	
23				against vulnerable	
24				adult	2
25	750.145p(5)	Person	E	Vulnerable adult -- care-	
26				giver violations --	
27				subsequent offense	5
28	750.147b	Person	G	Ethnic intimidation	2

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

33 Enacting section 1. This amendatory act takes effect [December
34 1, 2002.]

35 Enacting section 2. This amendatory act does not take
36 effect unless House Bill No. 5296 of the 91st Legislature is
37 enacted into law.