

# HOUSE BILL No. 4309

February 27, 2003, Introduced by Reps. Wojno, Spade, Farrah, Paletko, Bieda, Vagnozzi, Law, Cheeks, Brandenburg, Ward, Stakoe, Shaffer, Zelenko, Clack, Stewart, Minore, Accavitti, Gielegem, Rocca, Ehardt, Sheltroun, Brown, Tobocman, Hopgood and Adamini and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
(MCL 750.1 to 750.568) by adding section 506d.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 506d. (1) Notwithstanding any other provision of this  
2 act, the court may order an individual convicted of committing a  
3 violation of this act in which an individual who is a patient or  
4 a resident of a nursing home, home for the aged, county medical  
5 care facility, or adult foster care facility is a victim of that  
6 violation to pay not more than twice the fine otherwise  
7 authorized for that violation or to pay a fine authorized under  
8 subsection (2). Fines do not include court costs or other  
9 assessments. As used in this subsection:

10       (a) "Adult foster care facility" means a facility licensed  
11 under the adult foster care facility licensing act, 1979 PA 218,

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1 MCL 400.701 to 400.737.

2 (b) "County medical care facility", "home for the aged", and  
3 "nursing home" mean a health facility or agency licensed as a  
4 county medical care facility, home for the aged, or nursing home  
5 under article 17 of the public health code, 1978 PA 368, MCL  
6 333.20101 to 333.22260.

7 (2) If the violation is not otherwise punishable by a fine,  
8 the court, in addition to any authorized penalty, may order the  
9 individual to pay a fine as follows:

10 (a) A fine of not more than \$200.00 if the violation is a  
11 misdemeanor with a maximum term of imprisonment of less than 6  
12 months.

13 (b) A fine of not more than \$500.00 if the violation is a  
14 misdemeanor with a maximum term of imprisonment of 6 months.

15 (c) A fine of not more than \$1,000.00 if the violation is a  
16 misdemeanor with a maximum term of imprisonment of 1 year.

17 (d) A fine of not more than \$2,000.00 if the violation is a  
18 misdemeanor with a maximum term of imprisonment of 1 year or more  
19 but less than 2 years or if the violation is a felony with a  
20 maximum term of imprisonment of 2 years.

21 (e) A fine of not more than \$4,000.00 if the violation is a  
22 felony with a maximum term of imprisonment of 2 years or more but  
23 less than 4 years.

24 (f) A fine of not more than \$5,000.00 if the violation is a  
25 felony with a maximum term of imprisonment of 5 years.

26 (g) A fine of not more than \$10,000.00 if the violation is a  
27 felony with a maximum term of imprisonment of 5 years or more or

1 for life.

2       (3) This section applies to violations of this act committed  
3 on or after the effective date of the amendatory act that added  
4 this section.