

**STATE OF MICHIGAN  
96TH LEGISLATURE  
REGULAR SESSION OF 2012**

Introduced by Senators Rocca, Jones, Brandenburg, Hansen, Proos and Warren

**ENROLLED SENATE BILL No. 846**

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2011 PA 169.

*The People of the State of Michigan enact:*

CHAPTER XVII

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

| <b>M.C.L.</b> | <b>Category</b> | <b>Class</b> | <b>Description</b>                      | <b>Stat Max</b> |
|---------------|-----------------|--------------|-----------------------------------------|-----------------|
| 750.81(4)     | Person          | E            | Domestic assault with prior convictions | 5               |

|              |        |   |                                                                                                                                |      |
|--------------|--------|---|--------------------------------------------------------------------------------------------------------------------------------|------|
| 750.81a(3)   | Person | E | Aggravated domestic assault with prior convictions                                                                             | 5    |
| 750.81d(1)   | Person | G | Assaulting, resisting, or obstructing certain persons                                                                          | 2    |
| 750.81d(2)   | Person | F | Assaulting, resisting, or obstructing certain persons causing injury                                                           | 4    |
| 750.81d(3)   | Person | C | Assaulting, resisting, or obstructing certain persons causing serious impairment                                               | 15   |
| 750.81d(4)   | Person | B | Assaulting, resisting, or obstructing certain persons causing death                                                            | 20   |
| 750.81e(2)   | Person | G | Assault on utility worker causing bodily injury requiring medical attention                                                    | 2    |
| 750.81e(3)   | Person | E | Assault on utility worker causing serious impairment of a body function                                                        | 5    |
| 750.82(1)    | Person | F | Felonious assault                                                                                                              | 4    |
| 750.82(2)    | Person | F | Felonious assault — weapon-free school zone                                                                                    | 4    |
| 750.83       | Person | A | Assault with intent to murder                                                                                                  | Life |
| 750.84(1)(a) | Person | D | Assault with intent to do great bodily harm less than murder                                                                   | 10   |
| 750.84(1)(b) | Person | D | Assault by strangulation or suffocation                                                                                        | 10   |
| 750.85       | Person | A | Torture                                                                                                                        | Life |
| 750.86       | Person | D | Assault with intent to maim                                                                                                    | 10   |
| 750.87       | Person | D | Assault with intent to commit a felony                                                                                         | 10   |
| 750.88       | Person | C | Assault with intent to commit unarmed robbery                                                                                  | 15   |
| 750.89       | Person | A | Assault with intent to commit armed robbery                                                                                    | Life |
| 750.90       | Person | D | Sexual intercourse under pretext of medical treatment                                                                          | 10   |
| 750.90a      | Person | A | Assault against a pregnant individual causing miscarriage, stillbirth, or death to embryo or fetus with intent or recklessness | Life |
| 750.90b(a)   | Person | C | Assault against a pregnant individual resulting in miscarriage, stillbirth, or death to embryo or fetus                        | 15   |
| 750.90b(b)   | Person | D | Assault against a pregnant individual resulting in great bodily harm to embryo or fetus                                        | 10   |
| 750.90c(a)   | Person | C | Gross negligence against a pregnant individual resulting in miscarriage, stillbirth, or death to embryo or fetus               | 15   |
| 750.90c(b)   | Person | E | Gross negligence against a pregnant individual resulting in great bodily harm to embryo or fetus                               | 5    |
| 750.90d(a)   | Person | C | Operating a vehicle under the influence or while impaired causing miscarriage, stillbirth, or death to embryo or fetus         | 15   |
| 750.90d(b)   | Person | E | Operating a vehicle under the influence or while impaired causing serious or aggravated injury to embryo or fetus              | 5    |
| 750.90e      | Person | G | Careless or reckless driving causing miscarriage, stillbirth, or death to embryo or fetus                                      | 2    |
| 750.90g(3)   | Person | A | Performance of procedure on live infant with intent to cause death                                                             | Life |
| 750.90h      | Person | G | Performing or assisting in performance of partial-birth abortion                                                               | 2    |
| 750.91       | Person | A | Attempted murder                                                                                                               | Life |

Enacting section 1. This amendatory act takes effect April 1, 2013.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 96th Legislature are enacted into law:

(a) Senate Bill No. 847.

(b) Senate Bill No. 848.

*Carol Morey Viventi*

Secretary of the Senate

*Sam E. Randall*

Clerk of the House of Representatives

Approved .....

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Governor