

# HOUSE BILL No. 4873

July 27, 2011, Introduced by Reps. Hooker, Rogers, Dillon, Poleski, Goike, Opsommer, Geiss, Zorn, Johnson, Forlini, Shaughnessy, Damrow, Santana, Haines, Heise, MacGregor, Callton, Rutledge and Jacobsen and referred to the Committee on Judiciary.

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 2008 PA 521.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### 1 CHAPTER XVII

2 Sec. 16g. (1) This chapter applies to the following felonies  
3 enumerated in chapter 750 of the Michigan Compiled Laws:

4	M.C.L.	Category	Class	Description	Stat Max
5	750.135	Person	D	Exposing children with intent to injure or abandon	10
6	750.135a(2) (c)	Person	D	Leaving child unattended in vehicle resulting in serious physical harm	10

1	750.135a(2)(d)	Person	B	Leaving child unattended in vehicle resulting in death	15
2	750.136b(2)	Person	B	<del>Child</del> <b>FIRST-DEGREE CHILD</b> abuse — <del>first degree</del>	15
3	750.136b(4)	Person	F	<del>Child</del> <b>SECOND-DEGREE CHILD</b> abuse — <del>second degree</del>	4
4	750.136b(6)	Person	G	<del>Child</del> <b>THIRD-DEGREE CHILD</b> abuse — <del>third degree</del>	2
5	750.136c	Person	B	Buying or selling an individual	20
6	750.145a	Person	F	Soliciting child to commit an immoral act	4
7	750.145b	Person	D	Accosting children for immoral purposes with prior conviction	10
8	750.145c(2)	Person	B	<del>Child</del> <b>PRODUCING CHILD</b> sexually abusive activity or materials — <del>active involvement</del> <b>MATERIAL</b>	20
9	750.145c(3)	Person	D	<del>Child</del> <b>DISTRIBUTING, PROMOTING, OR FINANCING THE DISTRIBUTION OF CHILD</b> sexually abusive activity or materials — <del>distributing, promoting, or financing</del> <b>MATERIAL</b>	7
10	750.145c(4)	Person	F	<del>Child</del> <b>POSSESSING CHILD</b> sexually abusive activities or materials — <del>possession</del> <b>MATERIAL</b>	4
11	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

1	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
2	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
3	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
4	750.145d(2)(f)	Variable	B	Using internet or computer to commit crime punishable by a maximum term of imprisonment of at least 15 years or for life	20
5	750.145E	PERSON	F	<b>FAILING TO REPORT DEATH OF MINOR OR TO REPORT MISSING CHILD</b>	4
6	750.145n(1)	Person	C	<del>Vulnerable</del> <b>FIRST-DEGREE VULNERABLE</b> adult abuse — <del>first degree</del>	15
7	750.145n(2)	Person	F	<del>Vulnerable</del> <b>SECOND-DEGREE VULNERABLE</b> adult abuse — <del>second degree</del>	4
8	750.145n(3)	Person	G	<del>Vulnerable</del> <b>THIRD-DEGREE VULNERABLE</b> adult abuse — <del>third degree</del>	2
9	750.145o	Person	E	Death of vulnerable adult caused by unlicensed caretaker	5

1	750.145p(1)	Person	G	<del>Vulnerable adult— commingling</del> <b>COMMINGLING</b> funds <b>OF</b> , obstructing investigation <b>REGARDING</b> , or filing false information <b>REGARDING</b> , <b>VULNERABLE ADULT</b>	2
2	750.145p(2)	Person	G	Retaliation or discrimination by caregiver against vulnerable adult	2
3	750.145p(5)	Person	E	<del>Vulnerable adult— caregiver violations</del> <b>CAREGIVER OR LICENSEE VIOLATION AGAINST VULNERABLE ADULT</b> — subsequent offense	5
4	750.147b	Person	G	Ethnic intimidation	2

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

9           Enacting section 1. This amendatory act does not take effect  
10 unless Senate Bill No. \_\_\_\_ or House Bill No. 4872(request no.  
11 03387'11) of the 96th Legislature is enacted into law.