

# HOUSE BILL No. 4463

April 16, 2015, Introduced by Rep. Heise and referred to the Committee on Criminal Justice.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 37 of chapter XVII (MCL 777.37), as amended  
by 2002 PA 137.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### CHAPTER XVII

Sec. 37. (1) Offense variable 7 is aggravated physical  
abuse. Score offense variable 7 by determining which of the  
following apply and by assigning the number of points  
attributable to the ~~one~~ 1 that has the highest number of points:

(a) A victim was treated with sadism,  
torture, ~~or~~ excessive brutality, or **SIMILARLY**  
**EGREGIOUS** conduct designed to substantially  
increase the fear and anxiety a victim suffered  
during the offense..... 50 points

1           (b) No victim was treated with sadism,  
2 torture, ~~ex~~-excessive brutality, or **SIMILARLY**  
3 **EGREGIOUS** conduct designed to substantially  
4 increase the fear and anxiety a victim suffered  
5 during the offense..... 0 points

6           (2) Count each person who was placed in danger of injury or  
7 loss of life as a victim.

8           (3) As used in this section, "sadism" means conduct that  
9 subjects a victim to extreme or prolonged pain or humiliation and  
10 is inflicted to produce suffering or for the offender's  
11 gratification.