

**SUBSTITUTE FOR
HOUSE BILL NO. 5474**

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 2020 PA 50.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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



1	750.135a (2) (c)	Person	D	Leaving child	10
2				unattended in vehicle	
3				resulting in serious	
4				physical harm	
5	750.135a (2) (d)	Person	B	Leaving child	15
6				unattended in vehicle	
7				resulting in death	
8	750.136	Person	B	Female genital	15
9				mutilation violation	
10	750.136a	Person	B	Transporting person	15
11				for purpose of female	
12				genital mutilation	
13	750.136b (2)	Person	A	First degree child	Life
14				abuse	
15	750.136b (4) (a)	Person	C	Second degree child	10
16				abuse – first offense	
17	750.136b (4) (b)	Person	B	Second degree child	20
18				abuse – with prior	
19				conviction	
20	750.136b (4) (c)	Person	C	Second degree child	15
21				abuse – vulnerable	
22				child	
23	750.136b (6) (a)	Person	G	Third degree child	2
24				abuse – first offense	
25	750.136b (6) (b)	Person	E	Third degree child	5
26				abuse – with prior	
27				conviction	



1	750.136b (6) (c)	Person	G	Third degree child	3
2				abuse – vulnerable	
3				child	
4	750.136b (8) (b)	Person	G	Fourth degree child	2
5				abuse – with prior	
6				conviction	
7	750.136b (8) (c)	Person	H	Fourth degree child	2
8				abuse – vulnerable	
9				child	
10	750.136c	Person	B	Buying or selling an	20
11				individual	
12	750.136d(1) (a)	Person	A	First degree child	Life
13				abuse in presence of	
14				another child	
15	750.136d(1) (b)	Person	D	Second degree child	10
16				abuse in presence of	
17				another child – first	
18				offense	
19	750.136d(1) (c)	Person	B	Second degree child	20
20				abuse in presence of	
21				another child – second	
22				or subsequent offense	
23	750.136d(1) (d)	Person	G	Third degree child	2
24				abuse in presence of	
25				another child	
26	750.145a	Person	F	Soliciting child to	4
27				commit an immoral act	



1	750.145b	Person	D	Accosting children for	10
2				immoral purposes with	
3				prior conviction	
4	750.145c (2) (a)	Person	B	Producing child	20
5				sexually abusive	
6				activity or material	
7	750.145c (2) (b)	Person	B	Aggravated producing	25
8				of child sexually	
9				abusive activity or	
10				material	
11	750.145c (3) (a)	Person	D	Distributing,	7
12				promoting, or	
13				financing the	
14				distribution of child	
15				sexually abusive	
16				activity or material	
17	750.145c (3) (b)	Person	C	Aggravated	15
18				distributing,	
19				promoting, or	
20				financing the	
21				distribution of child	
22				sexually abusive	
23				activity or material	
24	750.145c (4) (a)	Person	F	Possessing child	4
25				sexually abusive	
26				material	
27	750.145c (4) (b)	Person	B	Aggravated possession	10
28				of child sexually	
29				abusive material	



1	750.145d(2) (b)	Variable	G	Using internet or	2
2				computer to commit	
3				crime punishable by a	
4				maximum term of	
5				imprisonment of at	
6				least 1 year but less	
7				than 2 years	
8	750.145d(2) (c)	Variable	F	Using internet or	4
9				computer to commit	
10				crime punishable by a	
11				maximum term of	
12				imprisonment of at	
13				least 2 years but less	
14				than 4 years	
15	750.145d(2) (d)	Variable	D	Using internet or	10
16				computer to commit	
17				crime punishable by a	
18				maximum term of	
19				imprisonment of at	
20				least 4 years but less	
21				than 10 years	
22	750.145d(2) (e)	Variable	C	Using internet or	15
23				computer to commit	
24				crime punishable by a	
25				maximum term of	
26				imprisonment of at	
27				least 10 years but	
28				less than 15 years	



1	750.145d(2) (f)	Variable	B	Using internet or	20
2				computer to commit	
3				crime punishable by a	
4				maximum term of	
5				imprisonment of at	
6				least 15 years or for	
7				life	
8	750.145n(1)	Person	C	First degree	15
9				vulnerable adult abuse	
10	750.145n(2)	Person	F	Second degree	4
11				vulnerable adult abuse	
12	750.145n(3)	Person	G	Third degree	2
13				vulnerable adult abuse	
14	750.145o	Person	E	Death of vulnerable	5
15				adult caused by	
16				unlicensed caretaker	
17	750.145p(1)	Person	G	Commingling funds of,	2
18				obstructing	
19				investigation	
20				regarding, or filing	
21				false information	
22				regarding, vulnerable	
23				adult	
24	750.145p(2)	Person	G	Retaliation or	2
25				discrimination by	
26				caregiver against	
27				vulnerable adult	



1 750.145p(5) Person E Caregiver or licensee 5
 2 violation against
 3 vulnerable adult –
 4 second or subsequent
 5 offense

6 750.147b Person G Ethnic intimidation 2

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

11 Enacting section 1. This amendatory act takes effect 90 days
 12 after the date it is enacted into law.

13 Enacting section 2. This amendatory act does not take effect
 14 unless House Bill No. 4783 of the 100th Legislature is enacted into
 15 law.

