

HOUSE BILL NO. 5474

February 06, 2020, Introduced by Reps. Calley and Kahle and referred to the Committee on Families, Children, and Seniors.

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 2018 PA 374.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

CHAPTER XVII

2

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

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M.C.L.	Category	Class Description	Stat Max
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1	750.135	Person	D	Exposing children with	10
2				intent to injure or	
3				abandon	
4	750.135a (2) (c)	Person	D	Leaving child	10
5				unattended in vehicle	
6				resulting in serious	
7				physical harm	
8	750.135a (2) (d)	Person	B	Leaving child	15
9				unattended in vehicle	
10				resulting in death	
11	750.136	Person	B	Female genital	15
12				mutilation violation	
13	750.136a	Person	B	Transporting person	15
14				for purpose of female	
15				genital mutilation	
16	750.136b (2)	Person	A	First degree child	Life
17				abuse	
18	750.136b (4) (a)	Person	C	Second degree child	10
19				abuse – first offense	
20	750.136b (4) (b)	Person	B	Second degree child	20
21				abuse – second or	
22				subsequent offense	
23	750.136b (4) (c)	Person	C	Second degree child	15
24				abuse – vulnerable	
25				child	
26	750.136b (6)	Person	G	Third degree child	2
27	750.136b (6) (a)			abuse	



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



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

