

# HOUSE BILL NO. 6218

September 15, 2020, Introduced by Reps. Guerra, LaGrand and Peterson and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 22 of chapter XVII (MCL 777.22), as amended by  
2003 PA 134, and by adding section 49n to chapter XVII.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### CHAPTER XVII

Sec. 22. (1) For all crimes against a person, score offense  
variables 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 19, and 20.  
Score offense variables 5 and 6 for homicide, attempted homicide,  
conspiracy or solicitation to commit a homicide, or assault with



1 intent to commit murder. Score offense variable 16 under this  
2 subsection for a violation or attempted violation of section 110a  
3 of the Michigan penal code, 1931 PA 328, MCL 750.110a. Score  
4 offense variables 17 and 18 if the offense or attempted offense  
5 involves the operation of a vehicle, vessel, ORV, snowmobile,  
6 aircraft, or locomotive.

7 (2) For all crimes against property, score offense variables  
8 1, 2, 3, 4, 9, 10, 12, 13, 14, 16, 19, and 20.

9 (3) For all crimes involving a controlled substance, score  
10 offense variables 1, 2, 3, 12, 13, 14, 15, 19, and 20.

11 (4) For all crimes against public order and all crimes against  
12 public trust, score offense variables 1, 3, 4, 9, 10, 12, 13, 14,  
13 16, 19, and 20.

14 (5) For all crimes against public safety, score offense  
15 variables 1, 3, 4, 9, 10, 12, 13, 14, 16, 19, and 20. Score offense  
16 variable 18 if the offense or attempted offense involves the  
17 operation of a vehicle, vessel, ORV, snowmobile, aircraft, or  
18 locomotive.

19 **(6) For all crimes to which it is applicable to the facts of**  
20 **the case, the court shall score offense variable 33. Offense**  
21 **variable 33 must be scored after the scoring of offense variables**  
22 **1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19,**  
23 **and 20.**

24 **Sec. 49n. Offense variable 33 is age of the defendant. The**  
25 **court shall score offense variable 33 if either of the following**  
26 **applies by reducing the defendant's offense variable score by the**  
27 **highest number of points applicable under offense variable 33:**



1           (a) If the defendant was less than 24  
2 years of age at the time he or she committed  
3 the offense or offenses for which he or she is  
4 being sentenced..... subtract 5 points

5           (b) If the defendant was less than 21  
6 years of age at the time he or she committed  
7 the offense or offenses for which he or she is  
8 being sentenced..... subtract 10 points

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

