

**SUBSTITUTE FOR  
HOUSE BILL NO. 4475**

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:**

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CHAPTER XVII

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

<b>M.C.L.</b>	<b>Category</b>	<b>Class</b>	<b>Description</b>	<b>Stat Max</b>
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 (6) (a)	Person	G	Third degree child	2
21				abuse - first offense	
22	750.136b (6) (b)	Person	E	Third degree child	5
23				abuse - with prior	
24				conviction	
25	750.136b (8) (b)	Person	G	Fourth degree child	2
26				abuse - with prior	
27				conviction	
28	750.136c	Person	B	Buying or selling an	20
29				individual	

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

1	750.145c(3)(a)	Person	D	Distributing,	7
2				promoting, or	
3				financing the	
4				distribution of child	
5				sexually abusive	
6				activity or material	
7	750.145c(3)(b)	Person	C	Aggravated	15
8				distributing,	
9				promoting, or	
10				financing the	
11				distribution of child	
12				sexually abusive	
13				activity or material	
14	750.145c(4)(a)	Person	F	Possessing child	4
15				sexually abusive	
16				material	
17	750.145c(4)(b)	Person	B	Aggravated possession	10
18				of child sexually	
19				abusive material	
20	750.145d(2)(b)	Variable	G	Using internet or	2
21				computer to commit	
22				crime punishable by a	
23				maximum term of	
24				imprisonment of at	
25				least 1 year but less	
26				than 2 years	

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

1	750.145n(1)	Person	C	First degree	15
2				vulnerable adult abuse	
3	750.145n(2)	Person	F	Second degree	4
4				vulnerable adult abuse	
5	750.145n(3)	Person	G	Third degree	2
6				vulnerable adult abuse	
7	750.145o	Person	E	Death of vulnerable	5
8				adult caused by	
9				unlicensed caretaker	
10	750.145p(1)	Person	G	Commingling funds of,	2
11				obstructing	
12				investigation	
13				regarding, or filing	
14				false information	
15				regarding, vulnerable	
16				adult	
17	750.145p(2)	Person	G	Retaliation or	2
18				discrimination by	
19				caregiver against	
20				vulnerable adult	
21	750.145p(5)	Person	E	Caregiver or licensee	5
22				violation against	
23				vulnerable adult –	
24				second or subsequent	
25				offense	
26	<del>750.147b</del>	Person	G	<del>Ethnic</del>	2
27	<b>750.147b(3)</b>			<del>intimidation</del> <b>Hate crime</b>	
28	<b>750.147b(4)</b>	<b>Person</b>	<b>E</b>	<b>Hate crime with</b>	<b>5</b>
29				<b>aggravating factors</b>	

1	750.147c(2)	Property	D	Institutional	10
2				desecration involving	
3				\$20,000 or more or	
4				with prior convictions	
5	750.147c(3)	Property	E	Institutional	5
6				desecration involving	
7				\$1,000 to \$20,000 or	
8				with prior convictions	

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

13           Enacting section 1. This amendatory act does not take effect  
14 unless all of the following bills of the 102nd Legislature are  
15 enacted into law:

16           (a) House Bill No. 4474.

17           (b) House Bill No. 4476.