

HOUSE BILL NO. 5591

March 14, 2024, Introduced by Reps. McFall, Neeley, Brenda Carter, Grant, O'Neal, Young, McKinney, Tsernoglou, Edwards, MacDonell, Aragona, Haadsma, Tyrone Carter, Hope, Coffia, Dievendorf, Koleszar, Rheingans, Morgan, Scott and Aiyash and referred to the Committee on Criminal Justice.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 39 of chapter XVII (MCL 777.39), as amended by
2006 PA 548.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1
2
3
4
5

CHAPTER XVII

Sec. 39. (1) Offense variable 9 is number of victims. Score
offense variable 9 by determining which of the following apply and
by assigning the number of points attributable to the one that has
the highest number of points:

1 (a) Multiple deaths
2 occurred..... 100 points

3 (b) Multiple companion
4 animals were killed..... 50 points

5 (c) ~~(b)~~—There were 10 or
6 more victims who were placed in
7 danger of physical injury or
8 death, or 20 or more victims who
9 were placed in danger of property
10 loss..... 25 points

11 (d) There were 10 or more
12 companion animals who were placed
13 in danger of physical injury or
14 death..... 15 points

15 (e) ~~(c)~~—There were 2 to 9
16 victims who were placed in danger
17 of physical injury or death, or 4
18 to 19 victims who were placed in
19 danger of property loss..... 10 points

20 (f) There were 2 to 9
21 companion animals who were placed
22 in danger of physical injury or
23 death..... 5 points

1 **(g)** ~~(d)~~—There were fewer
2 than 2 victims who were placed in
3 danger of physical injury or
4 death, or fewer than 4 victims
5 who were placed in danger of
6 property
7 loss..... 0 points

8 (2) All of the following apply to scoring offense variable 9:

9 (a) ~~Count~~ **Assign points for** each person **or companion animal**
10 who was placed in danger of physical injury or loss of life or
11 property. ~~as a victim.~~

12 (b) Score 100 points only in homicide cases.

13 Enacting section 1. This amendatory act does not take effect
14 unless Senate Bill No. ____ or House Bill No. 5588 (request no.
15 04563'23) of the 102nd Legislature is enacted into law.