

HOUSE BILL NO. 4162

March 02, 2023, Introduced by Reps. O'Neal, Brenda Carter, Scott, Arbit, Wilson, Byrnes, Rheingans, Neeley, Mentzer, Hope, Hood and Aiyash and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending sections 16, 18, 200i, 204, 207, 209, 210, 211a, 316, 436, and 543f (MCL 750.16, 750.18, 750.200i, 750.204, 750.207, 750.209, 750.210, 750.211a, 750.316, 750.436, and 750.543f), sections 16, 18, 200i, 204, 207, 209, 210, 211a, 436, and 543f as amended by 2014 PA 23 and section 316 as amended by 2022 PA 149, and by adding section 506b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16. (1) Except as otherwise provided in this section, a
2 person who knowingly or recklessly commits any of the following
3 actions is guilty of a felony punishable by imprisonment for not
4 more than 2 years or a fine of not more than \$1,000.00, or both:

5 (a) Adulterates, misbrands, removes, or substitutes a drug or
6 medicine so as to render that drug or medicine injurious to health.

7 (b) Sells, offers for sale, possesses for sale, causes to be
8 sold, or manufactures for sale a drug or medicine that has been
9 adulterated, misbranded, removed, or substituted so as to render it
10 injurious to health.

11 (2) A person who commits a violation of subsection (1) that
12 results in personal injury is guilty of a felony punishable by
13 imprisonment for not more than 4 years or a fine of not more than
14 \$4,000.00, or both.

15 (3) A person who commits a violation of subsection (1) that
16 results in serious impairment of a body function is guilty of a
17 felony punishable by imprisonment for not more than 5 years or a
18 fine of not more than \$5,000.00, or both.

19 (4) A person who commits a violation of subsection (1) that
20 results in death is guilty of a felony punishable by imprisonment
21 for not more than 15 years or a fine of not more than \$20,000.00,
22 or both.

23 (5) Except as provided ~~in sections 25 and 25a of chapter IX of~~
24 ~~the code of criminal procedure, 1927 PA 175, MCL 769.25 and 769.25a~~
25 **for a person who was less than 19 years of age at the time of the**
26 **violation,** a person who commits a violation of subsection (1) with
27 the intent to kill or to cause serious impairment of a body
28 function of 2 or more individuals that results in death is guilty
29 of a felony punishable by imprisonment for life without possibility

1 of parole or life without possibility of parole and a fine of not
2 more than \$40,000.00. It is not a defense to a charge under this
3 subsection that the person did not intend to kill a specific
4 individual or did not intend to cause serious impairment of a body
5 function of 2 or more specific individuals. **If the violation of**
6 **subsection (1) was committed by a person who was less than 19 years**
7 **of age at the time of the violation and with the intent to kill or**
8 **to cause serious impairment of a body function of 2 or more**
9 **individuals and the violation results in death, the person is**
10 **guilty of a felony and shall be punished by imprisonment with a**
11 **minimum term of not less than 10 years and maximum term of not more**
12 **than 60 years and a fine of not more than \$40,000.00.**

13 (6) As used in this section, "serious impairment of a body
14 function" means that phrase as defined in section 58c of the
15 Michigan vehicle code, 1949 PA 300, MCL 257.58c.

16 (7) This section does not prohibit an individual from being
17 charged with, convicted of, or punished for any other violation of
18 law that is committed by that individual while violating this
19 section.

20 Sec. 18. (1) Except for the purpose of compounding in the
21 necessary preparation of medicine, a person shall not knowingly or
22 recklessly mix, color, stain, or powder, or order or permit another
23 person to mix, color, stain, or powder, a drug or medicine with an
24 ingredient or material so as to injuriously affect the quality or
25 potency of the drug or medicine.

26 (2) A person shall not sell, offer for sale, possess for sale,
27 cause to be sold, or manufacture for sale a drug or medicine mixed,
28 colored, stained, or powdered in the manner proscribed in
29 subsection (1).

1 (3) Except as otherwise provided in this section, a person who
2 violates subsection (1) or (2) is guilty of a felony punishable by
3 imprisonment for not more than 2 years or a fine of not more than
4 \$1,000.00, or both.

5 (4) A person who commits a violation of subsection (1) or (2)
6 that results in personal injury is guilty of a felony punishable by
7 imprisonment for not more than 4 years or a fine of not more than
8 \$4,000.00, or both.

9 (5) A person who commits a violation of subsection (1) or (2)
10 that results in serious impairment of a body function is guilty of
11 a felony punishable by imprisonment for not more than 5 years or a
12 fine of not more than \$5,000.00, or both.

13 (6) A person who commits a violation of subsection (1) or (2)
14 that results in death is guilty of a felony punishable by
15 imprisonment for not more than 15 years or a fine of not more than
16 \$20,000.00, or both.

17 (7) Except as provided ~~in sections 25 and 25a of chapter IX of~~
18 ~~the code of criminal procedure, 1927 PA 175, MCL 769.25 and~~
19 ~~769.25a,~~ **for a person who was less than 19 years of age at the time**
20 **of the violation,** a person who commits a violation of subsection
21 (1) or (2) with the intent to kill or to cause serious impairment
22 of a body function of 2 or more individuals that results in death
23 is guilty of a felony punishable by imprisonment for life without
24 possibility of parole or life without possibility of parole and a
25 fine of not more than \$40,000.00. It is not a defense to a charge
26 under this subsection that the person did not intend to kill a
27 specific individual or did not intend to cause serious impairment
28 of a body function of 2 or more specific individuals. **If the**
29 **violation of subsection (1) or (2) was committed by a person who**

1 was less than 19 years of age at the time of the violation and with
2 the intent to kill or to cause serious impairment of a body
3 function of 2 or more individuals and the violation results in
4 death, the person is guilty of a felony and shall be punished by
5 imprisonment with a minimum term of not less than 10 years and
6 maximum term of not more than 60 years and a fine of not more than
7 \$40,000.00.

8 (8) As used in this section, "serious impairment of a body
9 function" means that phrase as defined in section 58c of the
10 Michigan vehicle code, 1949 PA 300, MCL 257.58c.

11 (9) This section does not prohibit an individual from being
12 charged with, convicted of, or punished for any other violation of
13 law that is committed by that individual while violating this
14 section.

15 Sec. 200i. (1) A person shall not manufacture, deliver,
16 possess, transport, place, use, or release any of the following for
17 an unlawful purpose:

18 (a) A harmful biological substance or a harmful biological
19 device.

20 (b) A harmful chemical substance or a harmful chemical device.

21 (c) A harmful radioactive material or a harmful radioactive
22 device.

23 (d) A harmful electronic or electromagnetic device.

24 (2) A person who violates subsection (1) is guilty of a crime
25 as follows:

26 (a) Except as provided in subdivisions (b) to (e), the person
27 is guilty of a felony punishable by imprisonment for not more than
28 15 years or a fine of not more than \$10,000.00, or both.

29 (b) If the violation directly or indirectly results in

1 property damage, the person is guilty of a felony punishable by
 2 imprisonment for not more than 20 years or a fine of not more than
 3 \$15,000.00, or both.

4 (c) If the violation directly or indirectly results in
 5 personal injury to another individual other than serious impairment
 6 of a body function or death, the person is guilty of a felony
 7 punishable by imprisonment for not more than 25 years or a fine of
 8 not more than \$20,000.00, or both.

9 (d) If the violation directly or indirectly results in serious
 10 impairment of a body function to another individual, the person is
 11 guilty of a felony punishable by imprisonment for life or any term
 12 of years or a fine of not more than \$25,000.00, or both.

13 (e) Except as provided ~~in sections 25 and 25a of chapter IX of~~
 14 ~~the code of criminal procedure, 1927 PA 175, MCL 769.25 and~~
 15 ~~769.25a,~~ **for a person who was less than 19 years of age at the time**
 16 **of the violation,** if the violation directly or indirectly results
 17 in the death of another individual, the person is guilty of a
 18 felony and shall be punished by imprisonment for life without
 19 eligibility for parole and may be fined not more than \$40,000.00. ~~7~~
 20 ~~or both.~~ **If the violation was committed by a person who was less**
 21 **than 19 years of age at the time of the violation and the violation**
 22 **directly or indirectly results in the death of another individual,**
 23 **the person is guilty of a felony and shall be punished by**
 24 **imprisonment with a minimum term of not less than 10 years and**
 25 **maximum term of not more than 60 years and may be fined not more**
 26 **than \$40,000.00.**

27 Sec. 204. (1) A person shall not send or deliver to another
 28 person or cause to be taken or received by any person any kind of
 29 explosive substance or any other dangerous thing with the intent to

1 frighten, terrorize, intimidate, threaten, harass, injure, or kill
2 any person, or with the intent to damage or destroy any real or
3 personal property without the permission of the property owner or,
4 if the property is public property, without the permission of the
5 governmental agency having authority over that property.

6 (2) A person who violates this section is guilty of a crime as
7 follows:

8 (a) Except as otherwise provided in subdivisions (b) to (e),
9 the person is guilty of a felony punishable by imprisonment for not
10 more than 15 years or a fine of not more than \$10,000.00, or both.

11 (b) If the violation damages the property of another person,
12 the person is guilty of a felony punishable by imprisonment for not
13 more than 20 years or a fine of not more than \$15,000.00, or both.

14 (c) If the violation causes physical injury to another
15 individual, other than serious impairment of a body function, the
16 person is guilty of a felony punishable by imprisonment for not
17 more than 25 years or a fine of not more than \$20,000.00, or both.

18 (d) If the violation causes serious impairment of a body
19 function to another individual, the person is guilty of a felony
20 punishable by imprisonment for life or any term of years or a fine
21 of not more than \$25,000.00, or both.

22 (e) Except as provided ~~in sections 25 and 25a of chapter IX of~~
23 ~~the code of criminal procedure, 1927 PA 175, MCL 769.25 and~~
24 ~~769.25a,~~ **for a person who was less than 19 years of age at the time**
25 **of the violation,** if the violation causes the death of another
26 individual, the person is guilty of a felony and shall be
27 imprisoned for life without eligibility for parole and may be fined
28 not more than \$40,000.00. ~~, or both.~~ **If the violation was committed**
29 **by a person who was less than 19 years of age at the time of the**

1 violation and the violation causes the death of another individual,
2 the person is guilty of a felony and shall be punished by
3 imprisonment with a minimum term of not less than 10 years and
4 maximum term of not more than 60 years and may be fined not more
5 than \$40,000.00.

6 Sec. 207. (1) A person shall not place an explosive substance
7 in or near any real or personal property with the intent to
8 frighten, terrorize, intimidate, threaten, harass, injure, or kill
9 any person, or with the intent to damage or destroy any real or
10 personal property without the permission of the property owner or,
11 if the property is public property, without the permission of the
12 governmental agency having authority over that property.

13 (2) A person who violates this section is guilty of a crime as
14 follows:

15 (a) Except as otherwise provided in subdivisions (b) to (e),
16 the person is guilty of a felony punishable by imprisonment for not
17 more than 15 years or a fine of not more than \$10,000.00, or both.

18 (b) If the violation damages the property of another person,
19 the person is guilty of a felony punishable by imprisonment for not
20 more than 20 years or a fine of not more than \$15,000.00, or both.

21 (c) If the violation causes physical injury to another
22 individual, other than serious impairment of a body function, the
23 person is guilty of a felony punishable by imprisonment for not
24 more than 25 years or a fine of not more than \$20,000.00, or both.

25 (d) If the violation causes serious impairment of a body
26 function to another individual, the person is guilty of a felony
27 punishable by imprisonment for life or for any term of years or a
28 fine of not more than \$25,000.00, or both.

29 (e) Except as provided ~~in sections 25 and 25a of chapter IX of~~

1 ~~the code of criminal procedure, 1927 PA 175, MCL 769.25 and~~
2 ~~769.25a, for a person who was less than 19 years of age at the time~~
3 ~~of the violation,~~ if the violation causes the death of another
4 individual, the person is guilty of a felony and shall be
5 imprisoned for life without eligibility for parole and may be fined
6 not more than \$40,000.00. ~~, or both.~~ **If the violation was committed**
7 **by a person who was less than 19 years of age at the time of the**
8 **violation and causes the death of another individual, the person is**
9 **guilty of a felony and shall be punished by imprisonment with a**
10 **minimum term of not less than 10 years and maximum term of not more**
11 **than 60 years and may be fined not more than \$40,000.00.**

12 Sec. 209. (1) A person who places an offensive or injurious
13 substance or compound in or near to any real or personal property
14 with intent to wrongfully injure or coerce another person or to
15 injure the property or business of another person, or to interfere
16 with another person's use, management, conduct, or control of ~~his~~
17 ~~or her~~ **the person's** business or property is guilty of a crime as
18 follows:

19 (a) Except as otherwise provided in subdivisions (b) to (e),
20 the person is guilty of a felony punishable by imprisonment for not
21 more than 15 years or a fine of not more than \$10,000.00, or both.

22 (b) If the violation damages the property of another person,
23 the person is guilty of a felony punishable by imprisonment for not
24 more than 20 years or a fine of not more than \$15,000.00, or both.

25 (c) If the violation causes physical injury to another
26 individual, other than serious impairment of a body function, the
27 person is guilty of a felony punishable by imprisonment for not
28 more than 25 years or a fine of not more than \$20,000.00, or both.

29 (d) If the violation causes serious impairment of a body

1 function to another individual, the person is guilty of a felony
 2 punishable by imprisonment for life or for any term of years or a
 3 fine of not more than \$25,000.00, or both.

4 (e) Except as provided ~~in sections 25 and 25a of chapter IX of~~
 5 ~~the code of criminal procedure, 1927 PA 175, MCL 769.25 and~~
 6 ~~769.25a,~~ **for a person who was less than 19 years of age at the time**
 7 **of the violation,** if the violation causes the death of another
 8 individual, the person is guilty of a felony and shall be
 9 imprisoned for life without eligibility for parole and may be fined
 10 not more than \$40,000.00. ~~or both.~~ **If the violation was committed**
 11 **by a person who was less than 19 years of age at the time of the**
 12 **violation and causes the death of another individual, the person is**
 13 **guilty of a felony and shall be punished by imprisonment with a**
 14 **minimum term of not less than 10 years and maximum term of not more**
 15 **than 60 years and may be fined not more than \$40,000.00.**

16 (2) A person who places an offensive or injurious substance or
 17 compound in or near to any real or personal property with the
 18 intent to annoy or alarm any person is guilty of a felony
 19 punishable by imprisonment for not more than 5 years or a fine of
 20 not more than \$3,000.00, or both.

21 Sec. 210. (1) A person shall not carry or possess an explosive
 22 or combustible substance or a substance or compound that when
 23 combined with another substance or compound will become explosive
 24 or combustible or an article containing an explosive or combustible
 25 substance or a substance or compound that when combined with
 26 another substance or compound will become explosive or combustible,
 27 with the intent to frighten, terrorize, intimidate, threaten,
 28 harass, injure, or kill any person, or with the intent to damage or
 29 destroy any real or personal property without the permission of the

1 property owner or, if the property is public property, without the
2 permission of the governmental agency having authority over that
3 property.

4 (2) A person who violates subsection (1) is guilty of a crime
5 as follows:

6 (a) Except as provided in subdivisions (b) to (e), the person
7 is guilty of a felony punishable by imprisonment for not more than
8 15 years or a fine of not more than \$10,000.00, or both.

9 (b) If the violation damages the property of another person,
10 the person is guilty of a felony punishable by imprisonment for not
11 more than 20 years or a fine of not more than \$15,000.00, or both.

12 (c) If the violation causes physical injury to another
13 individual, other than serious impairment of a body function, the
14 person is guilty of a felony punishable by imprisonment for not
15 more than 25 years or a fine of not more than \$20,000.00, or both.

16 (d) If the violation causes serious impairment of a body
17 function to another individual, the person is guilty of a felony
18 punishable by imprisonment for life or for any term of years or a
19 fine of not more than \$25,000.00, or both.

20 (e) Except as provided ~~in sections 25 and 25a of chapter IX of~~
21 ~~the code of criminal procedure, 1927 PA 175, MCL 769.25 and~~
22 ~~769.25a,~~ **for a person who was less than 19 years of age at the time**
23 **of the violation,** if the violation causes the death of another
24 individual, the person is guilty of a felony and shall be
25 imprisoned for life without eligibility for parole and may be fined
26 not more than \$40,000.00. ~~or both.~~ **If the violation was committed**
27 **by a person who was less than 19 years of age at the time of the**
28 **violation and causes the death of another individual, the person is**
29 **guilty of a felony and shall be punished by imprisonment with a**

1 **minimum term of not less than 10 years and maximum term of not more**
2 **than 60 years and may be fined not more than \$40,000.00.**

3 Sec. 211a. (1) A person shall not do either of the following:

4 (a) Except as provided in subdivision (b), manufacture, buy,
5 sell, furnish, or possess a Molotov cocktail or any similar device.

6 (b) Manufacture, buy, sell, furnish, or possess any device
7 that is designed to explode or that will explode upon impact or
8 with the application of heat or a flame or that is highly
9 incendiary, with the intent to frighten, terrorize, intimidate,
10 threaten, harass, injure, or kill any person, or with the intent to
11 damage or destroy any real or personal property without the
12 permission of the property owner or, if the property is public
13 property, without the permission of the governmental agency having
14 authority over that property.

15 (2) A person who violates subsection (1) is guilty of a crime
16 as follows:

17 (a) For a violation of subsection (1)(a) **and except as**
18 **provided in subdivisions (c) to (f)**, the person is guilty of a
19 felony punishable by imprisonment for not more than 4 years or a
20 fine of not more than \$2,000.00, or both.

21 (b) For a violation of subsection (1)(b) and except as
22 provided in subdivisions (c) to (f), the person is guilty of a
23 felony punishable by imprisonment for not more than 15 years or a
24 fine of not more than \$10,000.00, or both.

25 (c) If the violation damages the property of another person,
26 the person is guilty of a felony punishable by imprisonment for not
27 more than 20 years or a fine of not more than \$15,000.00, or both.

28 (d) If the violation causes physical injury to another
29 individual, other than serious impairment of a body function, the

1 person is guilty of a felony punishable by imprisonment for not
2 more than 25 years or a fine of not more than \$20,000.00, or both.

3 (e) If the violation causes serious impairment of a body
4 function to another individual, the person is guilty of a felony
5 punishable by imprisonment for life or any term of years or a fine
6 of not more than \$25,000.00, or both.

7 (f) Except as provided ~~in sections 25 and 25a of chapter IX of~~
8 ~~the code of criminal procedure, 1927 PA 175, MCL 769.25 and~~
9 ~~769.25a, for a person who was less than 19 years of age at the time~~
10 ~~of the violation,~~ if the violation causes the death of another
11 individual, the person is guilty of a felony and shall be
12 imprisoned for life without eligibility for parole and may be fined
13 not more than \$40,000.00. ~~, or both.~~ **If the violation was committed**
14 **by a person who was less than 19 years of age at the time of the**
15 **violation and causes the death of another individual, the person is**
16 **guilty of a felony and shall be punished by imprisonment with a**
17 **minimum term of not less than 10 years and maximum term of not more**
18 **than 60 years and may be fined not more than \$40,000.00.**

19 (3) As used in this section, "Molotov cocktail" means an
20 improvised incendiary device that is constructed from a bottle or
21 other container filled with a flammable or combustible material or
22 substance and that has a wick, fuse, or other device designed or
23 intended to ignite the contents of the device when it is thrown or
24 placed near a target.

25 Sec. 316. (1) Except as provided in ~~sections 25 and 25a of~~
26 ~~chapter IX of the code of criminal procedure, 1927 PA 175, MCL~~
27 ~~769.25 and 769.25a, subsection (2),~~ a person who commits any of the
28 following is guilty of first degree murder and shall be punished by
29 imprisonment for life without eligibility for parole:

1 (a) Murder perpetrated by means of poison, lying in wait, or
2 any other willful, deliberate, and premeditated killing.

3 (b) Murder committed in the perpetration of, or attempt to
4 perpetrate, arson, criminal sexual conduct in the first, second, or
5 third degree, child abuse in the first degree, a major controlled
6 substance offense, robbery, carjacking, breaking and entering of a
7 dwelling, home invasion in the first or second degree, larceny of
8 any kind, extortion, kidnapping, vulnerable adult abuse in the
9 first or second degree under section 145n, torture under section
10 85, aggravated stalking under section 411i, or unlawful
11 imprisonment under section 349b.

12 (c) A murder of a peace officer or a corrections officer
13 committed while the peace officer or corrections officer is
14 lawfully engaged in the performance of any of ~~his or her~~ **the**
15 **officer's** duties as a peace officer or corrections officer, knowing
16 that the peace officer or corrections officer is a peace officer or
17 corrections officer engaged in the performance of ~~his or her duty~~
18 **the officer's duties** as a peace officer or corrections officer.

19 **(2) If a violation of subsection (1) was committed by a person**
20 **who was less than 19 years of age at the time of the violation, the**
21 **person is guilty of first degree murder and shall be punished by**
22 **imprisonment with a minimum term of not less than 10 years and**
23 **maximum term of not more than 60 years.**

24 **(3) ~~(2)~~**—Immediately following a conviction under this section,
25 a court shall enter an order committing the convicted person to the
26 jurisdiction of the department of corrections for incarceration in
27 a state correctional facility pending sentencing using a form
28 created by the state court administrative office for this purpose.
29 This order becomes effective if both of the following apply:

1 (a) The sheriff agrees to transport for final sentencing the
2 person from the state correctional facility to the county and from
3 the county back to the state correctional facility.

4 (b) The convicted person was not less than 18 years of age at
5 the time ~~he or she~~ **the person** committed the offense for which ~~he or~~
6 ~~she~~ **the person** was convicted under this section.

7 **(4)** ~~(3)~~—A court shall hold the sentencing hearing not more
8 than 45 days after a person is committed to the department of
9 corrections under subsection ~~(2)~~ **(3)**.

10 **(5)** ~~(4)~~—As used in this section:

11 (a) "Arson" means a felony violation under chapter X.

12 (b) "Corrections officer" means any of the following:

13 (i) A prison or jail guard or other prison or jail personnel.

14 (ii) Any of the personnel of a boot camp, special alternative
15 incarceration unit, or other minimum security correctional
16 facility.

17 (iii) A parole or probation officer.

18 (c) "Major controlled substance offense" means any of the
19 following:

20 (i) A violation of section 7401(2) (a) (i) to (iii) of the public
21 health code, 1978 PA 368, MCL 333.7401.

22 (ii) A violation of section 7403(2) (a) (i) to (iii) of the public
23 health code, 1978 PA 368, MCL 333.7403.

24 (iii) A conspiracy to commit an offense listed in subparagraph
25 (i) or (ii).

26 (d) "Peace officer" means any of the following:

27 (i) A police or conservation officer of this state or a
28 political subdivision of this state.

29 (ii) A police or conservation officer of the United States.

1 (iii) A police or conservation officer of another state or a
2 political subdivision of another state.

3 Sec. 436. (1) A person shall not do either of the following:

4 (a) Willfully mingle a poison or harmful substance with a
5 food, drink, nonprescription medicine, or pharmaceutical product,
6 or willfully place a poison or harmful substance in a spring, well,
7 reservoir, or public water supply, knowing or having reason to know
8 that the food, drink, nonprescription medicine, pharmaceutical
9 product, or water may be ingested or used by a person ~~to his or her~~
10 **and cause injury to the person.**

11 (b) Maliciously inform another person that a poison or harmful
12 substance has been or will be placed in a food, drink,
13 nonprescription medicine, pharmaceutical product, spring, well,
14 reservoir, or public water supply, knowing that the information is
15 false and that it is likely that the information will be
16 disseminated to the public.

17 (2) A person who violates subsection (1)(a) is guilty of a
18 crime as follows:

19 (a) Except as provided in subdivisions (b) to (e), the person
20 is guilty of a felony punishable by imprisonment for not more than
21 15 years or a fine of not more than \$10,000.00, or both.

22 (b) If the violation damages the property of another person,
23 the person is guilty of a felony punishable by imprisonment for not
24 more than 20 years or a fine of not more than \$15,000.00, or both.

25 (c) If the violation causes physical injury to another
26 individual, other than serious impairment of a body function, the
27 person is guilty of a felony punishable by imprisonment for not
28 more than 25 years or a fine of not more than \$20,000.00, or both.

29 (d) If the violation causes serious impairment of a body

1 function to another individual, the person is guilty of a felony
2 punishable by imprisonment for life or any term of years or a fine
3 of not more than \$25,000.00, or both. As used in this subdivision,
4 "serious impairment of a body function" means that term as defined
5 in section 58c of the Michigan vehicle code, 1949 PA 300, MCL
6 257.58c.

7 (e) Except as provided ~~in sections 25 and 25a of chapter IX of~~
8 ~~the code of criminal procedure, 1927 PA 175, MCL 769.25 and~~
9 ~~769.25a,~~ **for a person who was less than 19 years of age at the time**
10 **of the violation,** if the violation causes the death of another
11 individual, the person is guilty of a felony and shall be
12 imprisoned for life without eligibility for parole and may be fined
13 not more than \$40,000.00. ~~, or both.~~ **If the violation was committed**
14 **by a person who was less than 19 years of age at the time of the**
15 **violation and causes the death of another individual, the person is**
16 **guilty of a felony and shall be punished by imprisonment with a**
17 **minimum term of not less than 10 years and maximum term of not more**
18 **than 60 years and may be fined not more than \$40,000.00.**

19 (3) A person who violates subsection (1)(b) is guilty of a
20 crime as follows:

21 (a) Except as provided in subdivision (b), the person is
22 guilty of a felony punishable by imprisonment for not more than 4
23 years or a fine of not more than \$2,000.00, or both.

24 (b) If the person has previously been convicted of violating
25 subsection (1)(b), the person is guilty of a felony punishable by
26 imprisonment for not more than 10 years or a fine of not more than
27 \$5,000.00, or both.

28 (4) The court may order a term of imprisonment imposed for a
29 violation of this section to be served consecutively to a term of

1 imprisonment imposed for any other violation of law arising out of
2 the same transaction as the violation of this section.

3 (5) This section does not prohibit an individual from being
4 charged with, convicted of, or punished for any other violation of
5 law that is committed by that individual while violating this
6 section.

7 **Sec. 506b. Notwithstanding any provision to the contrary in**
8 **this act, an individual who was less than 19 years of age at the**
9 **time the individual committed a crime must not be sentenced to**
10 **imprisonment for life without parole eligibility for that crime.**

11 Sec. 543f. (1) A person is guilty of terrorism when that
12 person knowingly and with premeditation commits an act of
13 terrorism.

14 (2) Terrorism is a felony punishable by imprisonment for life
15 or any term of years or a fine of not more than \$100,000.00, or
16 both. However, except as provided ~~in sections 25 and 25a of chapter~~
17 ~~IX of the code of criminal procedure, 1927 PA 175, MCL 769.25 and~~
18 ~~769.25a,~~ **for a person who was less than 19 years of age at the time**
19 **of the violation,** if death was caused by the terrorist act, the
20 person shall be punished by imprisonment for life without
21 eligibility for parole. **If the violation was committed by a person**
22 **who was less than 19 years of age at the time of the violation and**
23 **causes the death of another individual, the person is guilty of a**
24 **felony and shall be punished by imprisonment with a minimum term of**
25 **not less than 10 years and maximum term of not more than 60 years.**

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

28 Enacting section 2. This amendatory act does not take effect
29 unless all of the following bills of the 102nd Legislature are

1 enacted into law:

2 (a) Senate Bill No. _____ or House Bill No. 4163 (request no.
3 01612'23).

4 (b) Senate Bill No. _____ or House Bill No. 4164 (request no.
5 01612'23 a).

6 (c) Senate Bill No. _____ or House Bill No. 4160 (request no.
7 01612'23 c).

8 (d) Senate Bill No. _____ or House Bill No. 4161 (request no.
9 01612'23 d).