



HOUSE BILL No. 4704

April 5, 1995, Introduced by Reps. Olshove, Brewer, Griffin, Gire, Pitoniak and DeMars and referred to the Committee on Judiciary and Civil Rights.

A bill to amend Act No. 368 of the Public Acts of 1978, entitled as amended "Public health code," as amended, being sections 333.1101 to 333.25211 of the Michigan Compiled Laws, by adding section 7413a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 368 of the Public Acts of 1978, as
2 amended, being sections 333.1101 to 333.25211 of the Michigan
3 Compiled Laws, is amended by adding section 7413a to read as
4 follows:

5 SEC. 7413A. (1) IF A PERSON HAS BEEN CONVICTED OF 2 OR MORE
6 SPECIFIED FELONIES, WHETHER THE CONVICTIONS OCCURRED IN THIS
7 STATE OR WOULD HAVE BEEN FOR SPECIFIED FELONIES IN THIS STATE IF
8 THE CONVICTIONS OBTAINED OUTSIDE THIS STATE HAD BEEN OBTAINED IN
9 THIS STATE, AND THAT PERSON IS CONVICTED OF MANUFACTURING,

1 DELIVERING, OR POSSESSING WITH INTENT TO MANUFACTURE OR DELIVER A
2 CONTROLLED SUBSTANCE IN VIOLATION OF SECTION 7401(2)(A)(i) TO
3 (iii), OR OF KNOWINGLY OR INTENTIONALLY POSSESSING A CONTROLLED
4 SUBSTANCE IN VIOLATION OF SECTION 7403(2)(A)(i) TO (iii), THE
5 PERSON SHALL BE PUNISHED BY IMPRISONMENT FOR LIFE WITHOUT THE
6 OPPORTUNITY FOR PAROLE. A SENTENCE IMPOSED UNDER THIS SECTION
7 SHALL NOT BE SUSPENDED.

8 (2) AS USED IN THIS SECTION, "SPECIFIED FELONY" MEANS 1 OR
9 MORE OF THE FOLLOWING:

10 (A) ASSAULT WITH INTENT TO MURDER IN VIOLATION OF SECTION 83
11 OF THE MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF
12 1931, BEING SECTION 750.83 OF THE MICHIGAN COMPILED LAWS.

13 (B) ASSAULT WITH INTENT TO DO GREAT BODILY HARM LESS THAN
14 MURDER IN VIOLATION OF SECTION 84 OF THE MICHIGAN PENAL CODE, ACT
15 NO. 328 OF THE PUBLIC ACTS OF 1931, BEING SECTION 750.84 OF THE
16 MICHIGAN COMPILED LAWS.

17 (C) ATTEMPTED MURDER IN VIOLATION OF SECTION 91 OF THE
18 MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931,
19 BEING SECTION 750.91 OF THE MICHIGAN COMPILED LAWS.

20 (D) FIRST DEGREE CHILD ABUSE IN VIOLATION OF SECTION 136B OF
21 THE MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931,
22 BEING SECTION 750.136B OF THE MICHIGAN COMPILED LAWS.

23 (E) FIRST DEGREE MURDER IN VIOLATION OF SECTION 316 OF THE
24 MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931,
25 BEING SECTION 750.316 OF THE MICHIGAN COMPILED LAWS.

1 (F) SECOND DEGREE MURDER IN VIOLATION OF SECTION 317 OF THE
2 MICHIGAN PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931,
3 BEING SECTION 750.317 OF THE MICHIGAN COMPILED LAWS.

4 (G) MANSLAUGHTER IN VIOLATION OF SECTION 321 OF THE MICHIGAN
5 PENAL CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931, BEING SECTION
6 750.321 OF THE MICHIGAN COMPILED LAWS.

7 (H) MAYHEM IN VIOLATION OF SECTION 397 OF THE MICHIGAN PENAL
8 CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931, BEING SECTION
9 750.397 OF THE MICHIGAN COMPILED LAWS.

10 (I) FIRST DEGREE CRIMINAL SEXUAL CONDUCT IN VIOLATION OF
11 SECTION 520B OF THE MICHIGAN PENAL CODE, ACT NO. 328 OF THE
12 PUBLIC ACTS OF 1931, BEING SECTION 750.520B OF THE MICHIGAN
13 COMPILED LAWS.

14 (J) SECOND DEGREE CRIMINAL SEXUAL CONDUCT IN VIOLATION OF
15 SECTION 520C OF THE MICHIGAN PENAL CODE, ACT NO. 328 OF THE
16 PUBLIC ACTS OF 1931, BEING SECTION 750.520C OF THE MICHIGAN
17 COMPILED LAWS.

18 (K) THIRD DEGREE CRIMINAL SEXUAL CONDUCT IN VIOLATION OF
19 SECTION 520D OF THE MICHIGAN PENAL CODE, ACT NO. 328 OF THE
20 PUBLIC ACTS OF 1931, BEING SECTION 750.520D OF THE MICHIGAN
21 COMPILED LAWS.

22 (L) ASSAULT WITH INTENT TO COMMIT FIRST DEGREE CRIMINAL
23 SEXUAL CONDUCT IN VIOLATION OF SECTION 520G OF THE MICHIGAN PENAL
24 CODE, ACT NO. 328 OF THE PUBLIC ACTS OF 1931, BEING SECTION
25 750.520G OF THE MICHIGAN COMPILED LAWS.

26 (3) THIS SECTION DOES NOT APPLY TO A PERSON SUBJECT TO
27 SENTENCING UNDER SECTION 7413.

1 Section 2. This amendatory act shall not take effect unless
2 all of the following bills of the 88th Legislature are enacted
3 into law:

4 (a) Senate Bill No. _____ or House Bill No. 4703 (request
5 no. 00011'95).

6 (b) Senate Bill No. _____ or House Bill No. 4702 (request
7 no. 00011'95 a).