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## PROHIBIT MEMBERSHIP IN CRIMINAL ORGANIZATIONS

**House Bill 4145**

**Sponsor: Rep. Ilona Varga**

**Committee: Judiciary**

**Complete to 2-4-97**

### **A SUMMARY OF HOUSE BILL 4145 AS INTRODUCED 1-29-97**

The bill would amend the Michigan Penal Code to prohibit active membership in an organization that was known by the member to be criminal. ("Criminal organization" would mean an organization whose members committed crimes as a purpose of that organization. "Active member" would mean a person who was associated with a criminal organization and who engaged in conduct to further its unlawful goals.)

Active membership in a known criminal organization would be a misdemeanor punishable by imprisonment for up to 90 days and/or a fine of up to \$100. An active member of a known criminal organization who committed a misdemeanor or felony to further the organization's unlawful goals would be guilty, respectively, of a misdemeanor punishable by imprisonment for up to one year and/or a fine of up to \$500, or of a felony punishable by imprisonment for up to four years and/or a fine of up to \$2,500. These additional terms of imprisonment would be served consecutively to any term of imprisonment imposed for the misdemeanor or felony. The bill has a "double jeopardy" provision that would prevent a person from being convicted both of a crime committed as a member of a criminal organization and of the crime of being an active member of a criminal organization.

MCL 750.411r

Analyst: S. Ekstrom

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.