

SUBSTITUTE FOR  
SENATE BILL NO. 694

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 92 (MCL 750.92).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 92. (1) ~~Attempt to commit crime--Any~~ A person who  
2 ~~shall attempt to commit an offense prohibited by law, and in~~  
3 ~~such attempt shall do~~ DOES any act ~~towards the commission of~~  
4 ~~such offense~~ TO COMMIT A CRIME, but ~~shall fail in the~~  
5 ~~perpetration,~~ FAILS TO COMPLETE THE CRIME or ~~shall be~~ IS  
6 intercepted or prevented ~~in the execution of the same, when no~~  
7 ~~express provision is made by law for the punishment of such~~  
8 ~~attempt,~~ FROM COMPLETING THE CRIME, shall be punished as follows  
9 WHEN NO SPECIFIC PUNISHMENT IS OTHERWISE PROVIDED:  
10       (A) ~~1.~~ If the ~~offense~~ CRIME attempted ~~to be committed~~  
11 ~~is such as~~ is punishable ~~with death~~ BY IMPRISONMENT FOR LIFE,

**SB 694, As Passed Senate, October 29, 1997**

Senate Bill No. 694

2

1 the person ~~convicted of such attempt shall be~~ IS guilty of a  
2 felony ~~—, punishable by imprisonment in the state prison~~ FOR  
3 not more than ~~10~~ 15 years ~~—; OR THE FINE AUTHORIZED FOR THE~~  
4 CRIME ATTEMPTED, OR BOTH.

5 (B) ~~2.— If the offense so~~ CRIME attempted ~~to be~~  
6 ~~committed~~ is punishable by imprisonment ~~in the state prison for~~  
7 ~~life, or~~ for 5 years or more, the person ~~convicted of such~~  
8 ~~attempt shall be~~ IS guilty of a felony ~~—, punishable by impris-~~  
9 ~~onment in the state prison~~ FOR not more than ~~5 years or in the~~  
10 ~~county jail not more than 1 year;—~~ 1/2 OF THE TERM OF IMPRISON-  
11 MENT AUTHORIZED FOR THE CRIME ATTEMPTED OR THE FINE AUTHORIZED  
12 FOR THE CRIME ATTEMPTED, OR BOTH.

13 (C) ~~3.— If the offense so~~ CRIME attempted ~~to be~~  
14 ~~committed~~ is punishable by imprisonment ~~in the state prison~~  
15 for ~~a term~~ less than 5 years, ~~or imprisonment in the county~~  
16 ~~jail or by fine,~~ the ~~offender convicted of such attempt shall~~  
17 ~~be~~ PERSON IS guilty of a misdemeanor ~~—, punishable by imprison-~~  
18 ~~ment in the state prison or reformatory~~ not more than ~~2 years~~  
19 ~~or in any county jail not more than 1 year or by a fine not to~~  
20 ~~exceed 1,000 dollars; but in no case shall the imprisonment~~  
21 ~~exceed 1/2 of the greatest punishment which might have been~~  
22 ~~inflicted if the offense so attempted had been committed.—~~ 1/2 OF  
23 THE TERM OF IMPRISONMENT AUTHORIZED FOR THE CRIME ATTEMPTED OR  
24 THE FINE AUTHORIZED FOR THE CRIME ATTEMPTED, OR BOTH.

25 (2) THE COURT MAY ORDER A PERSON CONVICTED OF VIOLATING THIS  
26 SECTION TO PAY ANY COSTS, RESTITUTION, OR REIMBURSEMENT  
27 AUTHORIZED FOR THE CRIME ATTEMPTED.

**SB 694, As Passed Senate, October 29, 1997**

Senate Bill No. 694

3

1       Enacting section 1. This amendatory act takes effect 90  
2 days after the date of its enactment.