

SUBSTITUTE FOR
SENATE BILL NO. 785

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 145e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 145E. (1) A PERSON WHO VIOLATES SECTION 145D IS GUILTY
2 OF A FELONY PUNISHABLE AS FOLLOWS:

3 (A) FOR A FIRST OFFENSE, BY IMPRISONMENT FOR NOT MORE THAN 2
4 YEARS OR A FINE OF NOT MORE THAN \$2,000.00, OR BOTH.

5 (B) FOR A SECOND OR SUBSEQUENT OFFENSE, BY IMPRISONMENT FOR
6 NOT MORE THAN 5 YEARS OR A FINE OF NOT MORE THAN \$5,000.00, OR
7 BOTH.

8 (2) THIS SECTION AND SECTION 145D DO NOT PROHIBIT A PERSON
9 FROM BEING CHARGED WITH, CONVICTED OF, OR PUNISHED FOR ANY OTHER
10 VIOLATION OF LAW COMMITTED BY THAT PERSON WHILE VIOLATING SECTION
11 145D, INCLUDING THE UNDERLYING OFFENSE.

SB 785, As Passed Senate, May 21, 1998

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1 (3) THIS SECTION AND SECTION 145D APPLY REGARDLESS OF
2 WHETHER THE PERSON IS CONVICTED OF COMMITTING, ATTEMPTING TO
3 COMMIT, CONSPIRING TO COMMIT, OR SOLICITING ANOTHER PERSON TO
4 COMMIT THE UNDERLYING OFFENSE.

5 (4) A TERM OF IMPRISONMENT IMPOSED UNDER THIS SECTION MAY BE
6 SERVED CONSECUTIVELY TO AND PRECEDING ANY TERM OF IMPRISONMENT
7 IMPOSED FOR CONVICTION OF THE UNDERLYING OFFENSE.

8 Enacting section 1. This amendatory act takes effect
9 September 1, 1998.

10 Enacting section 2. This amendatory act does not take
11 effect unless Senate Bill No. 1091 of the 89th Legislature is
12 enacted into law.