



HOUSE BILL No. 5432

February 22, 2000, Introduced by Reps. Caul, Richardville, Gilbert, Woronchak, Voorhees, Howell, Garza, Tabor, Toy, Rocca, Ehardt, Green, Kukuk, Birkholz, Kuipers, Schermesser, Middaugh, Julian, Richner, Scranton, Ruth Johnson, Garcia and Jansen and referred to the Committee on Criminal Law and Corrections.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending sections 167 and 168 (MCL 750.167 and 750.168).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 167. ~~—(1)—~~ A person is a disorderly person if the
2 person is any of the following:
- 3 (a) A person of sufficient ability who refuses or neglects
4 to support his or her family.
- 5 (b) A common prostitute.
- 6 (c) A window peeper, REGARDLESS OF WHETHER THE PERSON, AT
7 THE TIME OF THE VIOLATION, IS COMMITTING A TRESPASS OR IS ON
8 PUBLIC OR PRIVATE PROPERTY.
- 9 (d) A person who engages in an illegal occupation or
10 business.

1 (e) A person who is intoxicated in a public place and who is
2 either endangering directly the safety of another person or of
3 property or is acting in a manner that causes a public
4 disturbance.

5 (f) A person who is engaged in indecent or obscene conduct
6 in a public place.

7 (g) A vagrant.

8 (h) A person found begging in a public place.

9 (i) A person found loitering in a house of ill fame or pros-
10 titution or place where prostitution or lewdness is practiced,
11 encouraged, or allowed.

12 (j) A person who knowingly loiters in or about a place where
13 an illegal occupation or business is being conducted.

14 (k) A person who loiters in or about a police station,
15 police headquarters building, county jail, hospital, court build-
16 ing, or other public building or place for the purpose of solici-
17 ting employment of legal services or the services of sureties
18 upon criminal recognizances.

19 (l) A person who is found jostling or roughly crowding
20 people unnecessarily in a public place.

21 ~~-(2) When a person, who has been convicted of refusing or~~
22 ~~neglecting to support his or her family under this section, is~~
23 ~~then charged with subsequent violations within a period of 2~~
24 ~~years, that person shall be prosecuted as a second offender, or~~
25 ~~third and subsequent offender, as provided in section 168, if the~~
26 ~~family of that person is then receiving public relief or~~
27 ~~support.~~

1 Sec. 168. (1) ~~Any~~ EXCEPT AS PROVIDED IN SUBSECTION (2), A
2 person convicted of being a disorderly person ~~shall be~~ UNDER
3 SECTION 167 IS guilty of a misdemeanor.

4 (2) A PERSON CONVICTED OF BEING A DISORDERLY PERSON UNDER
5 SECTION 167(C), HAVING TO DO WITH WINDOW PEEPING, IS GUILTY OF A
6 CRIME AS FOLLOWS:

7 (A) IF THE VICTIM OF THE WINDOW PEEPING IS 18 YEARS OF AGE
8 OR OLDER, THE PERSON IS GUILTY OF A MISDEMEANOR, PUNISHABLE BY
9 IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF NOT MORE THAN
10 \$500.00, OR BOTH.

11 (B) IF THE VICTIM OF THE WINDOW PEEPING IS LESS THAN 18
12 YEARS OF AGE, THE PERSON IS GUILTY OF A FELONY PUNISHABLE BY
13 IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF NOT MORE THAN
14 \$2,000.00, OR BOTH.

15 Enacting section 1. This amendatory act takes effect 90
16 days after the date this amendatory act is enacted.