

A SUMMARY OF HOUSE BILL 4071 AS INTRODUCED 1-31-01

Currently, under the Michigan Penal Code (MCL 750.145d), it is illegal to use the Internet, a computer, or a computer program, network, or system to communicate with any person for the purpose of committing, attempting to commit, conspiring to commit, or soliciting another to commit any of the following:

- Solicitation of a child for immoral purposes (MCL 750.145a), involvement in child sexually abusive activity or material (MCL 750.145c), recruitment or inducement of a minor to commit a felony (MCL 750.157c), kidnapping (MCL 750.349), kidnapping of a child under the age of 14 (MCL 750.350), first-, second-, third-, or fourth-degree criminal sexual conduct (CSC) (MCL 750.520b – 750.520e) or assault with intent to commit CSC (MCL 750.520g), or dissemination of sexually explicit material (MCL 722.675) when the victim or intended victim is a minor, or if the person committing the crime believed that the victim was a minor.

- Stalking or aggravated stalking (MCL 750.411h and 750.411i).

- An explosives offense listed in Chapter 33 of the code, causing a death by explosives, selling explosives to a minor, or intentionally reporting a crime relating to a bombing, attempted bombing, or threat to bomb, knowing that the report is false.

The penalties for these crimes vary, based on the penalty for the underlying crime. For example, if the underlying crime is a misdemeanor or a felony, with a maximum term of imprisonment of less than one year, the person is guilty of a misdemeanor, punishable by up to one year imprisonment, a maximum fine of \$5,000, or both.

House Bill 4071 would amend the penal code to establish a new crime involving use of the Internet. Under the bill, it would also be prohibited to use the Internet, a computer, or a computer program, network, or system to communicate with any person for the purpose of committing, attempting to commit, conspiring to commit, or soliciting another person to commit any property damage or destruction. The penalties would be the same as those outlined above.

Analyst: R. Young

■ 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.