

HOUSE BILL No. 4688

June 9, 2015, Introduced by Reps. Bizon, Love, Callton, Canfield, Goike, Inman, Maturen, Price, Johnson, Webber, Jacobsen, Vaupel, LaVoy, Cochran, Plawecki, Liberati, LaFontaine, Geiss, Clemente, Kosowski, Sheppard, Lucido, Hooker and Heise and referred to the Committee on Criminal Justice.

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) AN INDIVIDUAL WHO IS RESPONSIBLE FOR THE CARE
2 OF A MINOR AND WHO KNOWS OR HAS REASON TO KNOW THAT THE MINOR HAS
3 DIED SHALL IMMEDIATELY REPORT THE DEATH TO A POLICE AGENCY OR OTHER
4 EMERGENCY SERVICE PROVIDER. THIS SUBSECTION DOES NOT APPLY IF
5 EITHER OF THE FOLLOWING APPLIES:

6 (A) THE DEATH OCCURRED WHILE THE MINOR WAS UNDER THE CARE OF
7 ANOTHER PERSON WHO IS REQUIRED BY LAW TO REPORT THE DEATH.

8 (B) THE INDIVIDUAL IS UNABLE TO IMMEDIATELY REPORT THE DEATH,
9 PROVIDED THAT HE OR SHE IMMEDIATELY REPORTS THE DEATH WHEN ABLE TO
10 DO SO.

1 (2) AN INDIVIDUAL WHO IS RESPONSIBLE FOR THE CARE OF A CHILD
2 AND WHO KNOWS OR HAS REASON TO KNOW THAT THE CHILD IS MISSING SHALL
3 IMMEDIATELY REPORT THAT THE CHILD IS MISSING TO A POLICE AGENCY.
4 FOR PURPOSES OF THIS SECTION, AN INDIVIDUAL HAS REASON TO KNOW THE
5 CHILD IS MISSING IF THE INDIVIDUAL DOES NOT KNOW THE LOCATION OF
6 THE CHILD AND HAS NOT BEEN IN CONTACT WITH THE CHILD WITHIN A 48-
7 HOUR PERIOD. THIS SUBSECTION DOES NOT APPLY IF THE INDIVIDUAL IS
8 UNABLE TO IMMEDIATELY REPORT THE CHILD AS MISSING, PROVIDED THAT HE
9 OR SHE IMMEDIATELY REPORTS THE CHILD AS MISSING WHEN ABLE TO DO SO.

10 (3) THE REQUIREMENTS FOR REPORTING THE DEATH OF A MINOR UNDER
11 SUBSECTION (1) OR A MISSING CHILD UNDER SUBSECTION (2) ARE MET IF
12 THE INDIVIDUAL CONTACTS A 9-1-1 EMERGENCY OPERATOR AND REPORTS THE
13 MINOR'S DEATH OR REPORTS THE CHILD AS MISSING AND PROVIDES HIS OR
14 HER OWN NAME AND ADDRESS TO THE 9-1-1 EMERGENCY OPERATOR.

15 (4) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY
16 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF
17 NOT MORE THAN \$5,000.00, OR BOTH.

18 (5) AS USED IN THIS SECTION:

19 (A) "CHILD" MEANS AN INDIVIDUAL LESS THAN 13 YEARS OF AGE.

20 (B) "MINOR" MEANS AN INDIVIDUAL LESS THAN 18 YEARS OF AGE.

21 Enacting section 1. This amendatory act takes effect 90 days
22 after the date it is enacted into law.