

Act No. 486  
Public Acts of 2016  
Approved by the Governor  
January 5, 2017  
Filed with the Secretary of State  
January 6, 2017  
EFFECTIVE DATE: April 6, 2017

**STATE OF MICHIGAN  
98TH LEGISLATURE  
REGULAR SESSION OF 2016**

Introduced by Rep. Sheppard

# ENROLLED HOUSE BILL No. 5839

AN ACT to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2014 PA 327.

*The People of the State of Michigan enact:*

## CHAPTER XVII

Sec. 16w. (1) This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.451(3)	Pub ord	G	Prostitution — various offenses — third or subsequent offense	2
750.451(4)	Person	E	Soliciting a person under 18 years of age to commit prostitution	5
750.452	Pub ord	E	Keeping a house of prostitution	5
750.455	Pub ord	B	Pandering	20
750.456	Person	B	Placing spouse into prostitution	20
750.457	Pub ord	B	Accepting earnings of a prostitute	20

750.458	Person	B	Prostitution — detaining person for debt	20
750.459(1)	Person	B	Transporting a person for prostitution	20
750.459(2)	Person	E	Selling travel services to facilitate prostitution or human trafficking in other jurisdictions	5
750.459(3)	Person	D	Selling travel services to facilitate prostitution or human trafficking in other jurisdictions involving a minor	10
750.462f(1)(a)	Person	D	Human trafficking violation	10
750.462f(1)(b)	Person	C	Human trafficking violation resulting in bodily injury	15
750.462f(1)(c)	Person	B	Human trafficking violation resulting in serious bodily injury	20
750.462f(1)(d)	Person	A	Human trafficking violation involving death or the commission of certain felonies	Life
750.462f(2)	Person	B	Obtaining a minor for commercial sexual activity or for forced labor or services	20
750.462f(3)	Person	Variable	Attempting, conspiring, or soliciting another to violate human trafficking laws	Variable
750.465a(1)(b)	Property	G	Operating audiovisual recording device in a theatrical facility — second offense	2
750.465a(1)(c)	Property	F	Operating audiovisual recording device in a theatrical facility — third or subsequent offense	4

(2) For a violation of section 462f(3) of the Michigan penal code, 1931 PA 328, MCL 750.462f, determine the offense category, offense variable level, and prior record variable level based on the underlying offense.

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

Enacting section 2. This amendatory act does not take effect unless House Bill No. 5838 of the 98th Legislature is enacted into law.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor