HOUSE BILL NO. 4072

February 02, 2021, Introduced by Reps. Calley and Kahle and referred to the Committee on Families, Children, and Seniors.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure,"

by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2020 PA 50.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

4	M.C.L.	Category	Class Description	Stat Max
3	enumerated in cha	apter 750 of	the Michigan Compiled L	aws:
2	Sec. 16g. (1) This chap	ter applies to the follo	wing felonies
L			CHAPTER XVII	

1	750.135	Person	D	Exposing children with	10
2				intent to injure or	
3				abandon	
4	750.135a(2)(c)	Person	D	Leaving child	10
5				unattended in vehicle	
6				resulting in serious	
7				physical harm	
8	750.135a(2)(d)	Person	В	Leaving child	15
9				unattended in vehicle	
10				resulting in death	
11	750.136	Person	В	Female genital	15
12				mutilation violation	
13	750.136a	Person	В	Transporting person	15
14				for purpose of female	
15				genital mutilation	
16	750.136b(2)	Person	A	First degree child	Life
17				abuse	
18	750.136b(4)(a)	Person	С	Second degree child	10
19				abuse - first offense	
20	750.136b(4)(b)	Person	В	Second degree child	20
21				abuse - with prior	
22				conviction	
23	750.136b(4)(c)	Person	С	Second degree child	15
24				abuse - vulnerable	
25				child	
26	750.136b(6)(a)	Person	G	Third degree child	2
27				abuse - first offense	

abuse - with pri conviction 4						
	1	750.136b(6)(b)	Person	E	Third degree child	5
## T50.136b(6)(c) Person G Third degree chi abuse - vulnerable child	2				abuse - with prior	
### abuse — vulnerable child 7	3				conviction	
6 child 7 750.136b(8)(b) Person G Fourth degree chapter conviction 8 abuse - with prince conviction 10 750.136b(8)(c) Person H Fourth degree chapter chap	4	750.136b(6)(c)	Person	G	Third degree child	3
7 750.136b(8) (b) Person G Fourth degree cheabuse - with prince conviction 10 750.136b(8) (c) Person H Fourth degree cheabuse - vulnerable child 11 abuse - vulnerable child 13 750.136c Person B Buying or selling individual 15 750.136d(1) (a) Person A First degree child abuse in presence another child 18 750.136d(1) (b) Person D Second degree cheabuse in presence another child - offense 20 another child - offense 22 750.136d(1) (c) Person B Second degree cheabuse in presence another child - offense 23 another child - or subsequent of 26 750.136d(1) (d) Person G Third degree child abuse in presence another child - or subsequent of	5				abuse - vulnerable	
### abuse - with prince conviction ### Fourth degree characters of the conviction ### Conviction ### Fourth degree characters of the conviction ### Conviction ### Fourth degree characters of the conviction ### Conviction ### Fourth degree characters of the conviction ### Conviction ### Fourth degree characters of the conviction ### Conviction ### Fourth degree characters of the conviction ### Conviction ### Fourth degree characters of the conviction ### Conviction ### Fourth degree characters of the conviction ### Conviction ### Fourth degree characters of the conviction ### Conviction ### Fourth degree characters of the conviction ### Conviction ### Conviction ### Fourth degree characters of the conviction ### Conviction ### Conviction ### Conviction ### Country degree characters of the conviction ### Conviction ### Country degree characters of the conviction ### Conviction ### Country degree characters of the conviction ### Conviction ### Country degree characters of the conviction ### Conviction ### Country degree characters of the conviction ###	6				child	
9 Conviction C	7	750.136b(8)(b)	Person	G	Fourth degree child	2
10	8				abuse - with prior	
### abuse - vulnerable child 12	9				conviction	
12 child 13 750.136c Person B Buying or selling individual individual. 14 individual individual. 15 750.136d(1)(a) Person A First degree chi abuse in presence another child. 17 another child. another child. 19 another child. another child. 20 another child. another child. 21 offense. abuse in presence another child. 22 750.136d(1)(c) Person B Second degree chi abuse in presence another child. 24 another child. or subsequent of abuse in presence abuse in presence another child. 26 750.136d(1)(d) Person G Third degree chi abuse in presence abuse in presence another child.	10	750.136b(8)(c)	Person	н	Fourth degree child	2
13 750.136c Person B Buying or selling individual 15 750.136d(1)(a) Person A First degree chick abuse in presence another child 18 750.136d(1)(b) Person D Second degree chick abuse in presence another child - offense 20 another child - offense 22 750.136d(1)(c) Person B Second degree chick abuse in presence another child - offense 24 another child - or subsequent offense 26 750.136d(1)(d) Person G Third degree chick abuse in presence another child - or subsequent offense	11				abuse - vulnerable	
14 individual 15 750.136d(1)(a) Person A First degree chi abuse in presence another child 16 another child another child 18 750.136d(1)(b) Person D Second degree chi abuse in presence another child - offense 20 another child - offense 22 750.136d(1)(c) Person B Second degree chi abuse in presence another child - or subsequent of cor subsequent of abuse in presence abuse in presence another child - or subsequent of abuse in presence abuse in presence abuse in presence another child - or subsequent of abuse in presence abuse in pr	12				child	
15 750.136d(1)(a) Person A First degree chi abuse in presence another child 18 750.136d(1)(b) Person D Second degree chi abuse in presence another child - offense 20 another child - offense 22 750.136d(1)(c) Person B Second degree chi abuse in presence another child - or subsequent of 25 another child - or subsequent of 26 750.136d(1)(d) Person G Third degree chi abuse in presence another child - or subsequent of 26 750.136d(1)(d) Person G Third degree chi abuse in presence another child - or subsequent of 27 another child - or subsequent of 28 another child - or subsequent of 29 another child - or subsequent of 20 another child -	13	750.136c	Person	В	Buying or selling an	20
abuse in presence another child another child abuse in presence another child abuse in presence another child - abuse in presence another child - offense 22 750.136d(1)(c) Person B Second degree chi abuse in presence abuse in presence abuse in presence another child - or subsequent of abuse in presence another child - or subsequent of abuse in presence another child - or subsequent of abuse in presence	14				individual	
another child 18 750.136d(1)(b) Person D Second degree ch abuse in presence another child - offense 22 750.136d(1)(c) Person B Second degree ch abuse in presence abuse in presence abuse in presence another child - or subsequent of 26 750.136d(1)(d) Person G Third degree chi abuse in presence abuse in presence	15	750.136d(1)(a)	Person	А	First degree child	Life
18 750.136d(1)(b) Person D Second degree cheaptree abuse in presence another child - offense 20 another child - offense 22 750.136d(1)(c) Person B Second degree cheaptree abuse in presence another child - or subsequent of 25 or subsequent of 26 750.136d(1)(d) Person G Third degree child abuse in presence another child - or subsequent of 26 750.136d(1)(d) Person G Third degree child abuse in presence another child - or subsequent of 27 or subsequent of 28 or subsequent of 29 or su	16				abuse in presence of	
abuse in presence another child - offense 22 750.136d(1)(c) Person B Second degree ch abuse in presence another child - or subsequent of 26 750.136d(1)(d) Person G Third degree chi abuse in presence another child - or subsequent of abuse in presence	17				another child	
another child - offense 750.136d(1)(c) Person B Second degree ch abuse in presence another child - another child - or subsequent of 750.136d(1)(d) Person G Third degree chi abuse in presence abuse in presence	18	750.136d(1)(b)	Person	D	Second degree child	10
21	19				abuse in presence of	
750.136d(1)(c) Person B Second degree che abuse in presence another child - or subsequent of abuse in presence another child - or subsequent of 750.136d(1)(d) Person G Third degree child abuse in presence abuse in presence another child - or subsequent of abuse in presence another child - or subsequent of abuse in presence abuse	20				another child - first	
23 abuse in presence 24 another child - 25 or subsequent of 26 750.136d(1)(d) Person G Third degree chi 27 abuse in presence	21				offense	
24 another child - 25 or subsequent of 26 750.136d(1)(d) Person G Third degree chi 27 abuse in presence	22	750.136d(1)(c)	Person	В	Second degree child	20
or subsequent of 26 750.136d(1)(d) Person G Third degree chi abuse in presence	23				abuse in presence of	
26 750.136d(1)(d) Person G Third degree chi abuse in presence	24				another child - second	
27 abuse in presenc	25				or subsequent offense	
-	26	750.136d(1)(d)	Person	G	Third degree child	2
28 another child	27				abuse in presence of	
	28				another child	

1	750.145a	Person	F	Soliciting child to	4
2				commit an immoral act	
3	750.145b	Person	D	Accosting children for	10
4				immoral purposes with	
5				prior conviction	
6	750.145c(2)(a)	Person	В	Producing child	20
7				sexually abusive	
8				activity or material	
9	750.145c(2)(b)	Person	В	Aggravated producing	25
10				of child sexually	
11				abusive activity or	
12				material	
13	750.145c(3)(a)	Person	D	Distributing,	7
14				promoting, or	
15				financing the	
16				distribution of child	
17				sexually abusive	
18				activity or material	
19	750.145c(3)(b)	Person	С	Aggravated	15
20				distributing,	
21				promoting, or	
22				financing the	
23				distribution of child	
24				sexually abusive	
25				activity or material	
26	750.145c(4)(a)	Person	F	Possessing child	4
27				sexually abusive	
28				material	

1	750.145c(4)(b)	Person	В	Aggravated possession	10
2				of child sexually	
3				abusive material	
4	750.145d(2)(b)	Variable	G	Using internet or	2
5				computer to commit	
6				crime punishable by a	
7				maximum term of	
8				imprisonment of at	
9				least 1 year but less	
10				than 2 years	
11	750.145d(2)(c)	Variable	F	Using internet or	4
12				computer to commit	
13				crime punishable by a	
14				maximum term of	
15				imprisonment of at	
16				least 2 years but less	
17				than 4 years	
18	750.145d(2)(d)	Variable	D	Using internet or	10
19				computer to commit	
20				crime punishable by a	
21				maximum term of	
22				imprisonment of at	
23				least 4 years but less	
24				than 10 years	

1	750.145d(2)(e)	Variable	С	Using internet or	15
2				computer to commit	
3				crime punishable by a	
4				maximum term of	
5				imprisonment of at	
6				least 10 years but	
7				less than 15 years	
8	750.145d(2)(f)	Variable	В	Using internet or	20
9				computer to commit	
10				crime punishable by a	
11				maximum term of	
12				imprisonment of at	
13				least 15 years or for	
14				life	
15	750.145n(1)	Person	С	First degree	15
16				vulnerable adult abuse	
17	750.145n(2)	Person	F	Second degree	4
18				vulnerable adult abuse	
19	750.145n(3)	Person	G	Third degree	2
20				vulnerable adult abuse	
21	750.1450	Person	E	Death of vulnerable	5
22				adult caused by	
23				unlicensed caretaker	

1	750.145p(1)	Person	G	Commingling funds of,	2	
2				obstructing		
3				investigation		
4				regarding, or filing		
5				false information		
6				regarding, vulnerable		
7				adult		
8	750.145p(2)	Person	G	Retaliation or	2	
9				discrimination by		
10				caregiver against		
11				vulnerable adult		
12	750.145p(5)	Person	E	Caregiver or licensee	5	
13				violation against		
14				vulnerable adult —		
15				second or subsequent		
16				offense		
17	750.147b	Person	G	Ethnic intimidation	2	
18	(2) For a v	iolation of se	ctio	n 145d of the Michigan penal		
19	code, 1931 PA 328, MCL 750.145d, determine the offense category,					
20	offense variable level, and prior record variable level based on					
21	the underlying of	ffense.				
22	Enacting section 1. This amendatory act takes effect 90 days					
23	after the date it	is enacted in	nto I	law.		
24	Enacting sec	ction 2. This	amen	datory act does not take eff	ect	
25	unless Senate Bil	l No or	House	e Bill No. 4071 (request no.		
26	00298'21) of the	101st Legisla	ture	is enacted into law.		