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## **HOUSE BILL NO. 5593**

March 14, 2024, Introduced by Reps. Outman, Neeley, Brenda Carter, O'Neal, MacDonell, Aragona, Haadsma, Tyrone Carter, Hope, Coffia, Dievendorf, Koleszar, Rheingans, Edwards, Morgan, Young, Scott and Aiyash and referred to the Committee on Criminal Justice.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 41 of chapter XVII (MCL 777.41), as added by 1998 PA 317.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XVII
Sec. 41. (1) Offense variable 11 is criminal sexual
penetration. Score offense variable 11 by determining which of the
following apply and by assigning the number of points attributable
to the one that has the highest number of points:

SCS H05325'24

1	(a) Two or more criminal
2	sexual penetrations occurred 50 points
3	(b) Two or more criminal
4	sexual penetrations of a
5	companion animal occurred 25 points
6	(c) <del>(b)</del> One criminal sexual
7	penetration occurred 25 points
8	(d) One criminal sexual
9	penetration of a companion animal
10	occurred 15 points
11	(e) <del>(c)</del> No criminal sexual
12	penetration occurred 0 points
13	(2) All of the following apply to scoring offense variable 11:
14	(a) Score all sexual penetrations of the victim or a companion
15	animal by the offender arising out of the sentencing offense.
16	(b) Multiple sexual penetrations of the victim or a companion
17	animal by the offender extending beyond the sentencing offense may
18	be scored in offense variables 12 or 13.
19	(c) Do not score points for the 1 penetration that forms the
20	basis of a first- or third-degree criminal sexual conduct offense
21	or an offense against a companion animal under section 158 of the
22	Michigan penal code, 1931 PA 328, MCL 750.158.
23	Enacting section 1. This amendatory act does not take effect
24	unless all of the following bills of the 102nd Legislature are
25	enacted into law:
26	(a) Senate Bill No or House Bill No. 5588 (request no.
27	04563'23).
28	(b) Senate Bill No. or House Bill No. 5592 (request no.

**29** 04564'23).