

HOUSE BILL No. 5186

September 27, 1991, Introduced by Reps. Leland, Palamara, Rocca, Barns, Middaugh, Hertel, Gire, Niederstadt, Randall, Wozniak, Owen, Baade, Dobronski, Joe Young, Sr., DeMars, Stopczynski, Trim, Nye, Hoffman, Bartnik, Strand, Harder, Murphy, Clarke, Munsell, Sikkema, Willis Bullard, London, Dobb, Shugars, Oxender, Bobier, Ostling, Gilmer, Bennane, Jonker, Olshove, Hickner, Kosteva, Hunter, Bennett, Keith and Mathieu and referred to the Committee on Judiciary.

A bill to amend Act No. 328 of the Public Acts of 1931, entitled as amended

"The Michigan penal code,"

as amended, being sections 750.1 to 750.568 of the Michigan Compiled Laws, by adding sections 89a and 529a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 328 of the Public Acts of 1931, as
2 amended, being sections 750.1 to 750.568 of the Michigan Compiled
3 Laws, is amended by adding sections 89a and 529a to read as
4 follows:

5 SEC. 89A. (1) AN INDIVIDUAL ARMED WITH A DANGEROUS WEAPON,
6 OR WITH AN ARTICLE USED OR FASHIONED IN A MANNER TO LEAD A PERSON
7 ASSAULTED WITH THAT ARTICLE TO REASONABLY BELIEVE THE ARTICLE IS
8 A DANGEROUS WEAPON, WHO ASSAULTS ANOTHER INDIVIDUAL WITH THE
9 INTENT TO ROB AND STEAL A MOTOR VEHICLE FROM THAT INDIVIDUAL IS

1 GUILTY OF A FELONY, AND SHALL BE PUNISHED BY IMPRISONMENT IN THE
2 STATE PRISON FOR LIFE, OR FOR ANY TERM OF YEARS BUT NOT LESS THAN
3 5 YEARS.

4 (2) THE COURT SHALL ORDER THE DRIVER'S LICENSE OF AN INDI-
5 VIDUAL CONVICTED OF VIOLATING SUBSECTION (1) REVOKED OR DENIED
6 FOR A PERIOD OF 10 YEARS. THE REVOCATION OR DENIAL SHALL BE
7 ORDERED TO RUN CONSECUTIVELY TO ANY TERM OF IMPRISONMENT IMPOSED
8 UNDER THIS SECTION.

9 (3) AS USED IN THIS SECTION, "MOTOR VEHICLE" MEANS THAT TERM
10 AS DEFINED IN SECTION 412.

11 SEC. 529A. (1) AN INDIVIDUAL WHO ASSAULTS ANOTHER INDIVIDU-
12 AL, AND FELONIOUSLY ROBS, STEALS, OR TAKES A MOTOR VEHICLE FROM
13 THAT OTHER INDIVIDUAL, OR IN HIS OR HER PRESENCE, WHILE ARMED
14 WITH A DANGEROUS WEAPON, OR AN ARTICLE USED OR FASHIONED IN A
15 MANNER TO LEAD THE PERSON ASSAULTED WITH THAT ARTICLE TO REASON-
16 ABLY BELIEVE THE ARTICLE IS A DANGEROUS WEAPON, IS GUILTY OF A
17 FELONY, AND SHALL BE PUNISHED BY IMPRISONMENT FOR LIFE OR FOR ANY
18 TERM OF YEARS BUT NOT LESS THAN 5 YEARS.

19 (2) THE COURT SHALL ORDER THE DRIVER'S LICENSE OF AN INDI-
20 VIDUAL CONVICTED OF VIOLATING SUBSECTION (1) REVOKED OR DENIED
21 FOR A PERIOD OF 10 YEARS. THE REVOCATION OR DENIAL SHALL BE
22 ORDERED TO RUN CONSECUTIVELY TO ANY TERM OF IMPRISONMENT IMPOSED
23 UNDER THIS SECTION.

24 (3) AS USED IN THIS SECTION, "MOTOR VEHICLE" MEANS THAT TERM
25 AS DEFINED IN SECTION 412.