

# HOUSE BILL No. 4593

April 29, 2003, Introduced by Reps. Wojno, Nofs, Bieda, Accavitti, Gielegem, Spade, Tobocman, Law, Pastor, Minore and Gleason 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 492b.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 492b. (1) A person shall not knowingly use a public  
2 record, or knowingly use information obtainable only through a  
3 public record, to commit or attempt to commit a crime. A person  
4 who violates this subsection is guilty as follows:

5       (a) If the crime committed is a misdemeanor, the person is  
6 guilty of a misdemeanor punishable by imprisonment for not more  
7 than 93 days or a fine of not more than \$500.00, or both.

8       (b) If the crime committed is a felony, the person is guilty  
9 of a felony punishable by imprisonment for not more than 5 years  
10 or a fine of not more than \$10,000.00, or both.

11       (2) A criminal penalty provided for under this section may be

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1 imposed in addition to any penalty that may be imposed for any  
2 other criminal offense arising from the same conduct or for any  
3 contempt of court arising from the same conduct.

4 (3) As used in this section:

5 (a) "Person" means an individual, partnership, corporation,  
6 association, governmental entity, or other legal entity.

7 (b) "Public record" means that term as defined in section 2  
8 of the freedom of information act, 1976 PA 442, MCL 15.232.