

SENATE BILL No. 1152

April 21, 2004, Introduced by Senator THOMAS and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 65, 66, and 67 of chapter XVII (MCL 777.65, 777.66, and 777.67), as added by 1998 PA 317, and by adding sections 20, 65a, 66a, and 67a to chapter XVII; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XVII

1
2 Sec. 20. If an offender is found by the court to be
3 responsible for violating probation granted for an offense to be
4 scored under this chapter, the upper minimum sentence range of
5 each variable level for the violation to be scored shall, if
6 probation is revoked and the offender sentenced as provided in
7 this chapter, be increased by 25% for each instance in which the
8 individual has been adjudicated by the court to have committed a

1 probation violation.

2 Sec. 65. The following are the minimum sentence ranges for
3 class D for individuals sentenced on or after October 1, 2004 but
4 before October 1, 2006:

		PRIOR RECORD VARIABLE LEVEL					
		A	B	C	D	E	F
		0 points	1-9 points	10-24 points	25-49 points	50-74 points	75+ points
9	Offense						
10	Variable						
11	Level						
12	I						
13	0-9	0-6 0-3	0-9 0-6	0-11 0-9	0-17 0-11	5-23 3-17	10-23
14	points						
15	II						
16	10-24	0-9 0-6	0-11 0-9	0-17 0-11	5-23 3-17	10-23	19-38
17	points						
18	III						
19	25-34	0-11 0-9	0-17 0-11	5-23 3-17	10-23	19-38	29-57
20	points						
21	IV						
22	35-49	0-17 0-11	5-23 3-17	10-23	19-38	29-57	34-67
23	points						
24	V						
25	50-74	5-23 3-17	10-23	19-38	29-57	34-67	38-76
26	points						
27	VI						
28	75+	10-23	19-38	29-57	34-67	38-76	43-76
29	points						

30 Sec. 65a. The following are the minimum sentence ranges for
31 class D for individuals sentenced on or after October 1, 2006:

		PRIOR RECORD VARIABLE LEVEL					
		A	B	C	D	E	F
		0 points	1-9 points	10-24 points	25-49 points	50-74 points	75+ points
36	Offense						

Variable Level							
I 0-9 points	0-6	0-9	0-11	0-17	5-23	10-23	
II 10-24 points	0-9	0-11	0-17	5-23	10-23	19-38	
III 25-34 points	0-11	0-17	5-23	10-23	19-38	29-57	
IV 35-49 points	0-17	5-23	10-23	19-38	29-57	34-67	
V 50-74 points	5-23	10-23	19-38	29-57	34-67	38-76	
VI 75+ points	10-23	19-38	29-57	34-67	38-76	43-76	

21 Sec. 66. The following are the minimum sentence ranges for
 22 class E for individuals sentenced on or after October 1, 2004 but
 23 before October 1, 2006:

Offense Variable Level	PRIOR RECORD VARIABLE LEVEL					
	A	B	C	D	E	F
0 points		1-9 points	10-24 points	25-49 points	50-74 points	75+ points
I 0-9 points	0-3 0-2	0-6 0-3	1-9 0-6	5-23 1-9	7-23 3-17	9-23
II 10-24 points	0-6 0-3	0-9 0-6	0-11 0-9	7-23 2-11	10-23 5-17	12-24
III						

1	25-34	0-9	0-6	0-11	0-9	0-17	0-11	10-23	3-17	12-24	9-23	14-29
2	points											
3	IV											
4	35-49	0-11	0-9	0-17	0-11	5-23	3-17	12-24	7-23	14-29	19-38	
5	points											
6	V											
7	50-74	0-14	0-11	5-23	3-17	7-23	14-29	19-38	22-38			
8	points											
9	VI											
10	75+	0-17	7-23	5-23	12-24	19-38	22-38	24-38				
11	points											

12 Sec. 66a. The following are the minimum sentence ranges for
13 class E for individuals sentenced on or after October 1, 2006:

14		PRIOR RECORD VARIABLE LEVEL					
15		A	B	C	D	E	F
16		0	1-9	10-24	25-49	50-74	75+
17		points	points	points	points	points	points
18	Offense						
19	Variable						
20	Level						
21	I						
22	0-9	0-3	0-6	0-9	5-23	7-23	9-23
23	points						
24	II						
25	10-24	0-6	0-9	0-11	7-23	10-23	12-24
26	points						
27	III						
28	25-34	0-9	0-11	0-17	10-23	12-24	14-29
29	points						
30	IV						
31	35-49	0-11	0-17	5-23	12-24	14-29	19-38
32	points						
33	V						
34	50-74	0-14	5-23	7-23	14-29	19-38	22-38
35	points						
36	VI						
37	75+	0-17	7-23	12-24	19-38	22-38	24-38
38	points						

1 Sec. 67. The following are the minimum sentence ranges for
 2 class F for individuals sentenced on or after October 1, 2004 but
 3 before October 1, 2006:

		PRIOR RECORD VARIABLE LEVEL					
		A	B	C	D	E	F
		0 points	1-9 points	10-24 points	25-49 points	50-74 points	75+ points
Offense Variable Level							
I							
0-9 points	0-3 0-1	0-6	0-9	2-17 1-11	5-23 3-17	10-23	
II							
10-34 points	0-6	0-9	0-17 0-11	5-23 3-17	10-23	12-24	
III							
35-74 points	0-9	0-17 0-11	2-17	10-23	12-24	14-29	
IV							
75+ points	0-17 0-11	2-17	5-23	12-24	14-29	17-30	

23 Sec. 67a. The following are the minimum sentence ranges for
 24 class F for individuals sentenced on or after October 1, 2006:

		PRIOR RECORD VARIABLE LEVEL					
		A	B	C	D	E	F
		0 points	1-9 points	10-24 points	25-49 points	50-74 points	75+ points
Offense Variable Level							
I							
0-9 points	0-3	0-6	0-9	2-17	5-23	10-23	
II							
10-34 points	0-6	0-9	0-17	5-23	10-23	12-24	

1	III						
2	35-74	0-9	0-17	2-17	10-23	12-24	14-29
3	points						
4	IV						
5	75+	0-17	2-17	5-23	12-24	14-29	17-30
6	points						

7 Enacting section 1. Sections 20, 65, 66, and 67 of chapter
8 XVII of the code of criminal procedure, 1927 PA 175, MCL 777.20,
9 777.65, 777.66, and 777.67, are repealed effective September 30,
10 2006.