

# SENATE BILL NO. 990

September 11, 2024, Introduced by Senator LINDSEY and referred to the Committee on Civil Rights, Judiciary, and Public Safety.

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 2023 PA 278.

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

1

CHAPTER XVII

2

Sec. 16g. (1) This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

3

<b>1</b>	<b>M.C.L.</b>	<b>Category</b>	<b>Class</b>	<b>Description</b>	<b>Stat Max</b>
<b>2</b>	750.135	Person	D	Exposing children with	10
<b>3</b>				intent to injure or	
<b>4</b>				abandon	
<b>5</b>	750.135a (2) (c)	Person	D	Leaving child	10
<b>6</b>				unattended in vehicle	
<b>7</b>				resulting in serious	
<b>8</b>				physical harm	
<b>9</b>	750.135a (2) (d)	Person	B	Leaving child	15
<b>10</b>				unattended in vehicle	
<b>11</b>				resulting in death	
<b>12</b>	750.136	Person	B	Female genital	15
<b>13</b>				mutilation violation	
<b>14</b>	750.136a	Person	B	Transporting person	15
<b>15</b>				for purpose of female	
<b>16</b>				genital mutilation	
<b>17</b>	750.136b (2)	Person	A	First degree child	Life
<b>18</b>				abuse	
<b>19</b>	750.136b (4) (a)	Person	C	Second degree child	10
<b>20</b>				abuse – first offense	
<b>21</b>	750.136b (4) (b)	Person	B	Second degree child	20
<b>22</b>				abuse – with prior	
<b>23</b>				conviction	
<b>24</b>	750.136b (6) (a)	Person	G	Third degree child	2
<b>25</b>				abuse – first offense	
<b>26</b>	750.136b (6) (b)	Person	E	Third degree child	5
<b>27</b>				abuse – with prior	
<b>28</b>				conviction	

1	750.136b(8)(b)	Person	G	Fourth degree child	2
2				abuse - with prior	
3				conviction	
4	750.136c	Person	B	Buying or selling an	20
5				individual	
6	750.136d(1)(a)	Person	A	First degree child	Life
7				abuse in presence of	
8				another child	
9	750.136d(1)(b)	Person	D	Second degree child	10
10				abuse in presence of	
11				another child - first	
12				offense	
13	750.136d(1)(c)	Person	B	Second degree child	20
14				abuse in presence of	
15				another child - second	
16				or subsequent offense	
17	750.136d(1)(d)	Person	G	Third degree child	2
18				abuse in presence of	
19				another child	
20	750.145a	Person	F	Soliciting child to	4
21				commit an immoral act	
22	750.145b	Person	D	Accosting children for	10
23				immoral purposes with	
24				prior conviction	
25	750.145c(2)(a)	Person	B	Producing child	20
26				sexually abusive	
27				activity or material	

1	750.145c (2) (b)	Person	B	Aggravated producing	25
2				of child sexually	
3				abusive activity or	
4				material	
5	750.145c (3) (a)	Person	D	Distributing,	7
6				promoting, or	
7				financing the	
8				distribution of child	
9				sexually abusive	
10				activity or material	
11	750.145c (3) (b)	Person	C	Aggravated	15
12				distributing,	
13				promoting, or	
14				financing the	
15				distribution of child	
16				sexually abusive	
17				activity or material	
18	750.145c (4) (a)	Person	F	Possessing child	4
19				sexually abusive	
20				material	
21	750.145c (4) (b)	Person	B	Aggravated possession	10
22				of child sexually	
23				abusive material	

1	750.145d(2) (b)	Variable	G	Using internet or	2
2				computer to commit	
3				crime punishable by a	
4				maximum term of	
5				imprisonment of at	
6				least 1 year but less	
7				than 2 years	
8	750.145d(2) (c)	Variable	F	Using internet or	4
9				computer to commit	
10				crime punishable by a	
11				maximum term of	
12				imprisonment of at	
13				least 2 years but less	
14				than 4 years	
15	750.145d(2) (d)	Variable	D	Using internet or	10
16				computer to commit	
17				crime punishable by a	
18				maximum term of	
19				imprisonment of at	
20				least 4 years but less	
21				than 10 years	
22	750.145d(2) (e)	Variable	C	Using internet or	15
23				computer to commit	
24				crime punishable by a	
25				maximum term of	
26				imprisonment of at	
27				least 10 years but	
28				less than 15 years	

1	750.145d(2) (f)	Variable	B	Using internet or	20
2				computer to commit	
3				crime punishable by a	
4				maximum term of	
5				imprisonment of at	
6				least 15 years or for	
7				life	
8	750.145h(3)	Person	G	Causing vulnerable	2
9				adult to provide	
10				sexually explicit	
11				visual material -	
12				second or subsequent	
13				offense	
14	750.145n(1)	Person	C	First degree	15
15				vulnerable adult abuse	
16	750.145n(2)	Person	F	Second degree	4
17				vulnerable adult abuse	
18	750.145n(3)	Person	G	Third degree	2
19				vulnerable adult abuse	
20	750.145o	Person	E	Death of vulnerable	5
21				adult caused by	
22				unlicensed caretaker	
23	750.145p(1)	Person	G	Commingling funds of,	2
24				obstructing	
25				investigation	
26				regarding, or filing	
27				false information	
28				regarding, vulnerable	
29				adult	

1	750.145p(2)	Person	G	Retaliation or	2
2				discrimination by	
3				caregiver against	
4				vulnerable adult	
5	750.145p(5)	Person	E	Caregiver or licensee	5
6				violation against	
7				vulnerable adult –	
8				second or subsequent	
9				offense	
10	750.147b	Person	G	Ethnic intimidation	2
11	750.147c(2)	Property	D	Institutional	10
12				desecration involving	
13				\$20,000 or more or	
14				with prior convictions	
15	750.147c(3)	Property	E	Institutional	5
16				desecration involving	
17				\$1,000 to \$20,000 or	
18				with prior convictions	
19	750.147d(2)	Person	D	<b>Deprivation of rights</b>	10
20				<b>causing bodily injury</b>	
21				<b>or involving dangerous</b>	
22				<b>weapon, explosive, or</b>	
23				<b>fire</b>	
24	750.147d(3)	Person	A	<b>Deprivation of rights</b>	Life
25				<b>causing death or</b>	
26				<b>involving acts</b>	
27				<b>amounting to certain</b>	
28				<b>crimes</b>	

29 (2) For a violation of section 145d of the Michigan penal

1 code, 1931 PA 328, MCL 750.145d, determine the offense category,  
2 offense variable level, and prior record variable level based on  
3 the underlying offense.

4 Enacting section 1 This amendatory act takes effect 90 days  
5 after the date it is enacted into law.

6 Enacting section 2. This amendatory act does not take effect  
7 unless Senate Bill No. 989 of the 102nd Legislature is enacted into  
8 law.