

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.145b Accosting, enticing or soliciting child for immoral purpose; prior conviction; penalty.

Sec. 145b.

(1) A person convicted of violating section 145a who has 1 or more prior convictions is guilty of a felony punishable by imprisonment for not more than 10 years or a fine of not more than \$10,000.00, or both.

(2) If the prosecuting attorney intends to seek an enhanced sentence based upon the defendant having 1 or more prior convictions, the prosecuting attorney shall include on the complaint and information a statement listing the prior conviction or convictions. The existence of the defendant's prior conviction or convictions shall be determined by the court, without a jury, at sentencing or at a separate hearing for that purpose before sentencing. The existence of a prior conviction may be established by any evidence relevant for that purpose, including, but not limited to, 1 or more of the following:

- (a) A copy of the judgment of conviction.
- (b) A transcript of a prior trial, plea-taking, or sentencing.
- (c) Information contained in a presentence report.
- (d) The defendant's statement.

(3) As used in this section, "prior conviction" means a violation of section 145a or a violation of a law of another state substantially corresponding to section 145a.

History: Add. 1935, Act 174, Eff. Sept. 21, 1935 ;-- Am. 1939, Act 88, Eff. Sept. 29, 1939 ;-- CL 1948, 750.145b ;-- Am. 2002, Act 45, Eff. June 1, 2002