

HOUSE BILL NO. 6224

September 15, 2020, Introduced by Reps. Lasinski, LaGrand, Stone and Peterson and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 22 of chapter XVII (MCL 777.22), as amended by 2003 PA 134, and by adding section 49b to chapter XVII.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XVII

2 Sec. 22. (1) For all crimes against a person, score offense
3 variables 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 19, and 20.
4 Score offense variables 5 and 6 for homicide, attempted homicide,
5 conspiracy or solicitation to commit a homicide, or assault with



1 intent to commit murder. Score offense variable 16 under this
2 subsection for a violation or attempted violation of section 110a
3 of the Michigan penal code, 1931 PA 328, MCL 750.110a. Score
4 offense variables 17 and 18 if the offense or attempted offense
5 involves the operation of a vehicle, vessel, ORV, snowmobile,
6 aircraft, or locomotive.

7 (2) For all crimes against property, score offense variables
8 1, 2, 3, 4, 9, 10, 12, 13, 14, 16, 19, and 20.

9 (3) For all crimes involving a controlled substance, score
10 offense variables 1, 2, 3, 12, 13, 14, 15, 19, and 20.

11 (4) For all crimes against public order and all crimes against
12 public trust, score offense variables 1, 3, 4, 9, 10, 12, 13, 14,
13 16, 19, and 20.

14 (5) For all crimes against public safety, score offense
15 variables 1, 3, 4, 9, 10, 12, 13, 14, 16, 19, and 20. Score offense
16 variable 18 if the offense or attempted offense involves the
17 operation of a vehicle, vessel, ORV, snowmobile, aircraft, or
18 locomotive.

19 (6) **For all crimes to which it is applicable to the facts of**
20 **the case, the court may, in its discretion, score offense variable**
21 **21. Offense variable 21 must be scored after the scoring of offense**
22 **variables 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,**
23 **17, 18, 19, and 20.**

24 **Sec. 49b. Offense variable 21 is evidence of employment. The**
25 **court may score offense variable 21 by determining if either of the**
26 **following applies and by reducing the defendant's offense variable**
27 **score by the highest number of points that the court considers**
28 **appropriate under offense variable 21:**

29 (a) **The defendant's work history indicates that he or she has**



1 been a substantial contributor to his or her community when he or
2 she has been employed..... subtract 5 points

3 (b) The defendant is unemployed or underemployed but is making
4 substantial efforts to seek employment..... subtract 5 points

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

