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JURISDICTION FOR PROSECUTION OF CRIMINAL OFFENSE: CLARIFY

House Bill 5295
Sponsor: Rep. Gene DeRossett
Committee: Criminal Justice

Complete to 12-10-01

A SUMMARY OF HOUSE BILL 5295 AS INTRODUCED 10-18-01

The bill would amend the Code of Criminal Procedure to specify that a person could be prosecuted for a criminal offense that he or she committed while physically located in Michigan or outside of Michigan if any of the following circumstances existed:

- He or she committed a criminal offense wholly or partly within Michigan. (A criminal offense would be considered to have been partly committed within this state if 1) an act constituting an element of the criminal offense was committed within this state; 2) the result or consequences of an act constituting an element of the criminal offense occurred within this state; or, 3) the criminal offense produced consequences that had a materially harmful impact upon the system of government or the community welfare of this state, or resulted in persons within this state being defrauded or otherwise harmed.)
- His or her conduct constituted an attempt to commit a criminal offense within Michigan.
- His or her conduct constituted a conspiracy to commit a criminal offense within Michigan and an act in furtherance of the conspiracy was committed within Michigan by the offender, or at the offender's instigation, or by another member of the conspiracy.
- A victim of the offense or an employee or agent of a governmental unit posing as a victim resided within or was located in Michigan at the time the criminal offense was committed.
- The criminal offense produced substantial and detrimental effects within Michigan.

MCL 762.2

Analyst: S. Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.