

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5295

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
(MCL 760.1 to 777.69) by adding section 2 to chapter II.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER II

2 SEC. 2. (1) A PERSON MAY BE PROSECUTED FOR A CRIMINAL
3 OFFENSE HE OR SHE COMMITS WHILE HE OR SHE IS PHYSICALLY LOCATED
4 WITHIN THIS STATE OR OUTSIDE OF THIS STATE IF ANY OF THE FOLLOW-
5 ING CIRCUMSTANCES EXIST:

6 (A) HE OR SHE COMMITS A CRIMINAL OFFENSE WHOLLY OR PARTLY
7 WITHIN THIS STATE.

8 (B) HIS OR HER CONDUCT CONSTITUTES AN ATTEMPT TO COMMIT A
9 CRIMINAL OFFENSE WITHIN THIS STATE.

10 (C) HIS OR HER CONDUCT CONSTITUTES A CONSPIRACY TO COMMIT A
11 CRIMINAL OFFENSE WITHIN THIS STATE AND AN ACT IN FURTHERANCE OF

HB 5295, As Passed Senate, March 21, 2002

House Bill No. 5295 as amended March 21, 2002

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1 THE CONSPIRACY IS COMMITTED WITHIN THIS STATE BY THE OFFENDER, OR
2 AT HIS OR HER INSTIGATION, OR BY ANOTHER MEMBER OF THE
3 CONSPIRACY.

4 (D) A VICTIM OF THE OFFENSE OR AN EMPLOYEE OR AGENT OF A
5 GOVERNMENTAL UNIT POSING AS A VICTIM RESIDES IN THIS STATE OR IS
6 LOCATED IN THIS STATE AT THE TIME THE CRIMINAL OFFENSE IS
7 COMMITTED.

8 (E) THE CRIMINAL OFFENSE PRODUCES SUBSTANTIAL AND DETRIMEN-
9 TAL EFFECTS WITHIN THIS STATE.

10 (2) A CRIMINAL OFFENSE IS CONSIDERED UNDER SUBSECTION (1) TO
11 BE COMMITTED PARTLY WITHIN THIS STATE IF ANY OF THE FOLLOWING
12 APPLY:

13 (A) AN ACT CONSTITUTING AN ELEMENT OF THE CRIMINAL OFFENSE
14 IS COMMITTED WITHIN THIS STATE.

15 (B) THE RESULT OR CONSEQUENCES OF AN ACT CONSTITUTING AN
16 ELEMENT OF THE CRIMINAL OFFENSE OCCUR WITHIN THIS STATE.

17 (C) THE CRIMINAL OFFENSE PRODUCES CONSEQUENCES THAT HAVE A
18 MATERIALLY HARMFUL IMPACT UPON THE SYSTEM OF GOVERNMENT OR THE
19 COMMUNITY WELFARE OF THIS STATE, OR RESULTS IN PERSONS WITHIN
20 THIS STATE BEING DEFRAUDED OR OTHERWISE HARMED.

21 Enacting section 1. This amendatory act takes effect April 22,
22 2002.