

HOUSE BILL NO. 5245

July 01, 2021, Introduced by Reps. Reilly, LaFave, Maddock, Eisen, Steven Johnson and LaGrand and referred to the Committee on Military, Veterans and Homeland Security.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 543m (MCL 750.543m), as added by 2002 PA 113.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 543m. (1) A person is guilty of making a terrorist threat
2 ~~or of making a false report of terrorism if the person does either~~
3 ~~of the following:~~

4 ~~(a) Threatens to commit an act of terrorism and communicates~~
5 ~~the threat to any other person.~~**knowingly, intentionally, or**

1 recklessly makes a statement that would intimidate, frighten, or
2 coerce a victim into undertaking an action or refraining from
3 undertaking an action and if the statement meets all of the
4 following:

5 (a) The statement is a threat of physical force, violence, or
6 destruction of substantial property.

7 (b) The statement was made in a manner indicating that the
8 threat of physical force, violence, or destruction of substantial
9 property would be carried out by the person making the statement or
10 by other persons in concert with the person making the statement
11 and not by an unrelated third party.

12 (c) Considering the context of the statement in its entirety
13 the statement would cause a reasonable person to conclude that it
14 was meant to threaten the person who heard the statement, or
15 another person close in physical proximity to the person who heard
16 the statement, with violence or damage to substantial property.

17 (2) ~~(b) Knowingly~~ A person is guilty of making a false report
18 of terrorism if the person makes a false report of an act of
19 terrorism and communicates the false report to any other person,
20 knowing the report is false.

21 (3) ~~(2)~~ It is not a defense to a prosecution under this
22 section that the defendant did not have the intent or capability of
23 committing the act of terrorism.

24 (4) ~~(3)~~ A person who violates this section is guilty of a
25 felony punishable by imprisonment for not more than 20 years or a
26 fine of not more than \$20,000.00, or both.

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