

**SUBSTITUTE FOR  
HOUSE BILL NO. 5728**

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 14h of chapter XVII (MCL 777.14h), as amended  
by 2012 PA 187.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1** CHAPTER XVII

**2** Sec. 14h. This chapter applies to the following felonies  
**3** enumerated in chapter 445 of the Michigan Compiled Laws:

<b>4</b>	<b>M.C.L.</b>	<b>Category</b>	<b>Class</b>	<b>Description</b>	<b>Stat Max</b>
<b>5</b>	445.65	Pub ord	E	Identity theft	5
<b>6</b>		Pub ord	D	Identity theft - second offense	10
<b>7</b>		Pub ord	C	Identify theft - third or subsequent offense	15

1	445.67	Pub ord	E	Solicit, obtain, possess, sell, or transfer personal identifying information of another or falsify a police report with intent to commit identity theft	5
2		Pub ord	D	Obtain, possess, sell, or transfer personal identifying information of another or falsify a police report with intent to commit identity theft - second offense	10
3		Pub ord	C	Obtain, possess, sell, or transfer personal identifying information of another or falsify a police report with intent to commit identity theft - third or subsequent offense	15
4	445.408 (2)	Pub ord	E	Buying or selling stolen scrap metal	5
5	445.408 (3)	Pub ord	E	Buying or selling stolen scrap metal - subsequent offense	5
6	445.433 (2)	Pub ord	E	Knowingly buying or selling stolen nonferrous metal articles	5
7	445.487 (2)	Pub ord	H	Precious metal and gem dealer failure to record material matter - subsequent offense	2
8	445.488 (2)	Pub ord	H	Precious metal and gem dealer violations - subsequent offense	2
9	445.489	Pub ord	H	Precious metal and gem dealer failing to record transaction or falsifying transaction record, or making improper purchase	2

<b>1</b>	445.490	Pub ord	H	Precious metal and gem dealer failure to obtain a certificate of registration	2
<b>2</b>	445.574a(2)(d)	Pub ord	H	Improper return of 10,000 or more nonrefundable containers	5
<b>3</b>	445.574a(3)(d)	Pub ord	H	Improper acceptance or delivery of 10,000 or more nonrefundable containers by dealer	5
<b>4</b>	445.574a(4)(d)	Pub ord	H	Improper acceptance or delivery of 10,000 or more nonrefundable containers by distributor	5
<b>5</b>	445.667	Pub ord	G	Changing, altering, or modifying reverse vending machine or data for reverse vending machine	2
<b>6</b>	445.779	Pub ord	H	Antitrust violation	2
<b>7</b>	445.1505	Pub trst	G	Fraudulent filing, offer, or sale of franchise	7
<b>8</b>	445.1508	Pub trst	G	Sale of franchise without proper disclosure	7
<b>9</b>	445.1513	Pub trst	G	Illegal offer or sale of franchise	7
<b>10</b>	445.1520	Pub trst	G	Failure to keep or maintain record of sale of franchise	7
<b>11</b>	445.1521	Pub trst	G	False representation of departmental finding, recommendation, or approval of franchise document	7
<b>12</b>	445.1523	Pub trst	G	False statement of material fact to department of attorney general regarding franchise	7

1	445.1525	Pub trst	G	False advertising of franchise	7
2	<del>445.1528</del>	<del>Pub trst</del>	<del>D</del>	<del>Offer or sale of franchise through pyramid or chain promotion</del>	<del>7</del>
3	445.1671	Pub trst	E	False statement in report required by mortgage broker or lender	15
4	445.2081	Pub ord	E	Purchasing or selling stolen plastic bulk merchandise containers	5
5	445.2507(2)	Pub ord	F	Violation of unsolicited commercial e-mail protection act in furtherance of crime	4
6	445.2583	PUB TRST	F	ESTABLISH, PROMOTE, OR OPERATE A PYRAMID PROMOTIONAL SCHEME	7

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

9        Enacting section 2. This amendatory act does not take effect  
10 unless House Bill No. 5726 of the 99th Legislature is enacted  
11 into law.