



HOUSE BILL No. 4985

August 17, 1993, Introduced by Reps. Whyman, Horton, Voorhees, Cropsey, Vorva, Dalman, Goschka, Byrum, Bullard and Kukuk and referred to the Committee on Human Services and Children.

A bill to amend section 300a of Act No. 328 of the Public Acts of 1931, entitled as amended
"The Michigan penal code,"
as added by Act No. 387 of the Public Acts of 1988, being section 750.300a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 300a of Act No. 328 of the Public Acts
2 of 1931, as added by Act No. 387 of the Public Acts of 1988,
3 being section 750.300a of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 300a. (1) A person who knowingly uses, transfers,
6 acquires, alters, purchases, possesses, or transports food stamps
7 or coupons OR ACCESS DEVICES other than as authorized by the food
8 stamp act of 1977, 7 U.S.C. 2011 to 2030, and the regulations
9 promulgated under that act, or any supplemental food program

1 administered by any department of this state pursuant to section
2 17 of the child nutrition act of 1966, 42 U.S.C. 1786, and the
3 regulations promulgated under that act, is criminally liable as
4 follows:

5 (a) If the ~~cumulative~~ face value of the food stamps or
6 coupons is not more than ~~\$1,000.00~~ \$100.00, the person is
7 guilty of a misdemeanor, punishable by imprisonment for not more
8 than ~~90 days~~ 1 YEAR, or a fine of not more than ~~\$700.00~~
9 \$1,000.00, or both. FOR A SECOND OR SUBSEQUENT CONVICTION UNDER
10 THIS SUBDIVISION, THE PERSON SHALL BE IMPRISONED FOR NOT LESS
11 THAN 3 MONTHS OR MORE THAN 1 YEAR, OR FINED NOT MORE THAN
12 \$5,000.00, OR BOTH.

13 (b) If the ~~cumulative~~ face value of the food stamps or
14 coupons is more than ~~\$1,000.00~~ \$100.00 BUT LESS THAN \$5,000.00,
15 the person is guilty of a felony, punishable by imprisonment for
16 not more than 5 years, or a fine of not more than \$10,000.00, or
17 both. FOR A SECOND OR SUBSEQUENT CONVICTION UNDER THIS SUBDIVI-
18 SION, THE PERSON SHALL BE IMPRISONED FOR NOT LESS THAN 6 MONTHS
19 OR MORE THAN 10 YEARS, OR FINED NOT MORE THAN \$25,000.00, OR
20 BOTH.

21 (C) IF THE FACE VALUE OF THE FOOD STAMPS OR COUPONS IS MORE
22 THAN \$5,000.00, THE PERSON IS GUILTY OF A FELONY, PUNISHABLE BY
23 IMPRISONMENT FOR NOT MORE THAN 20 YEARS, OR A FINE OF NOT MORE
24 THAN \$250,000.00, OR BOTH.

25 (D) IF FOOD STAMPS OR COUPONS OF VARIOUS VALUES ARE OBTAINED
26 IN VIOLATION OF THIS SECTION OVER A 12-MONTH PERIOD, THE CONDUCT

1 MAY BE CONSIDERED AS 1 OFFENSE AND THE VALUES AGGREGATED IN
2 DETERMINING THE LEVEL OF THE OFFENSE.

3 (2) As used in this section, "food stamps or coupons" means
4 the coupons issued pursuant to the food stamp program established
5 under the food stamp act of 1977, 7 U.S.C. 2011 to 2030, or
6 issued pursuant to any supplemental food program administered by
7 any department of this state pursuant to section 17 of the child
8 nutrition act of 1966, 42 U.S.C. 1786.