

Act No. 26
Public Acts of 1996
Approved by the Governor
February 15, 1996
Filed with the Secretary of State
February 16, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Senator Van Regenmorter

ENROLLED SENATE BILL No. 473

AN ACT to amend section 1 of Act No. 196 of the Public Acts of 1989, entitled as amended "An act to create the criminal assessments commission; to prescribe the duties of the commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments," as amended by Act No. 345 of the Public Acts of 1993, being section 780.901 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 1 of Act No. 196 of the Public Acts of 1989, as amended by Act No. 345 of the Public Acts of 1993, being section 780.901 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 1. As used in this act:

- (a) "Commission" means the criminal assessments commission created under section 2.
- (b) "Crime victim's rights services" means services required to implement fully the crime victim's rights act, Act No. 87 of the Public Acts of 1985, being sections 780.751 to 780.834 of the Michigan Compiled Laws.
- (c) "Department" means the department of management and budget of this state.
- (d) "Felony" means a violation of a penal law of this state for which the offender, upon conviction, may be punished by imprisonment for more than 1 year, or an offense expressly designated by law to be a felony.
- (e) "Fund" means the crime victim's rights fund created under section 4.
- (f) "Juvenile offense" means an offense committed by an individual under the jurisdiction of the juvenile division of the probate court pursuant to section 2(a)(1) of chapter XIIA of Act No. 288 of the Public Acts of 1939, being section 712A.2 of the Michigan Compiled Laws, that if committed by an adult would be a felony, serious misdemeanor, or a specified misdemeanor.
- (g) "Serious misdemeanor" means that term as defined in section 61 of Act No. 87 of the Public Acts of 1985, being section 780.811 of the Michigan Compiled Laws.
- (h) "Specified misdemeanor" means a misdemeanor violation of any of the following:
 - (i) Section 602a, 625(1) or (3), 626, or 904 of the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.602a, 257.625, 257.626, and 257.904 of the Michigan Compiled Laws.
 - (ii) Section 82127(1) or (3) of part 821 (snowmobiles) of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being section 324.82127 of the Michigan Compiled Laws.

(iii) Section 81134(1) or (2) or 81135 of part 811 (off-road recreation vehicles) of Act No. 451 of the Public Acts of 1994, being sections 324.81134 and 324.81135 of the Michigan Compiled Laws.

(iv) Section 80176 of part 801 (marine safety) of Act No. 451 of the Public Acts of 1994, being section 324.80176 of the Michigan Compiled Laws.

(v) Section 185 of the aeronautics code of the state of Michigan, Act No. 327 of the Public Acts of 1945, being section 259.185 of the Michigan Compiled Laws.

(vi) Part 74 or section 17766a of the public health code, Act No. 368 of the Public Acts of 1978, being sections 333.7401 to 333.7461 and 333.17766a of the Michigan Compiled Laws, if the violation is a misdemeanor.

(vii) Section 33 of the Michigan liquor control act, Act No. 8 of the Public Acts of the Extra Session of 1933, being section 436.33 of the Michigan Compiled Laws.

(viii) Section 353 or 355 of the railroad code of 1993, Act No. 354 of the Public Acts of 1993, being sections 462.353 and 462.355 of the Michigan Compiled Laws.

(ix) Section 174, 218, 356, 356d, 359, 362, 362a, 377a, 380, 479a, 535, or 540e of the Michigan penal code, Act No. 328 of the Public Acts of 1931, being sections 750.174, 750.218, 750.356, 750.356d, 750.359, 750.362, 750.362a, 750.377a, 750.380, 750.479a, 750.535, and 750.540e of the Michigan Compiled Laws.

(x) A local ordinance substantially corresponding to a law listed in subparagraphs (i) to (ix).

Section 2. This amendatory act shall take effect May 1, 1996.

This act is ordered to take immediate effect.

Secretary of the Senate.

Clerk of the House of Representatives.

Approved -----

Governor.