



# HOUSE BILL No. 5335

October 25, 1995, Introduced by Rep. Wetters and referred to the Committee on Conservation, Environment and Great Lakes.

A bill 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:

1       Section 1.   Section 1 of Act No. 196 of the Public Acts of  
2 1989, as amended by Act No. 345 of the Public Acts of 1993, being  
3 section 780.901 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5       Sec. 1.   As used in this act:

1 (a) "Commission" means the criminal assessments commission  
2 created under section 2.

3 (b) "Crime victim's rights services" means services required  
4 to implement fully the crime victim's rights act, Act No. 87 of  
5 the Public Acts of 1985, being sections 780.751 to 780.834 of the  
6 Michigan Compiled Laws.

7 (c) "Department" means the department of management and  
8 budget of this state.

9 (d) "Felony" means a violation of a penal law of this state  
10 for which the offender, upon conviction, may be punished by  
11 imprisonment for more than 1 year, or an offense expressly desig-  
12 nated by law to be a felony.

13 (e) "Fund" means the crime victim's rights fund created  
14 under section 4.

15 (f) "Juvenile offense" means an offense committed by an  
16 individual under the jurisdiction of the juvenile division of the  
17 probate court pursuant to section 2(a)(1) of chapter XIIA of Act  
18 No. 288 of the Public Acts of 1939, being section 712A.2 of the  
19 Michigan Compiled Laws, that if committed by an adult would be a  
20 felony, serious misdemeanor, or a specified misdemeanor.

21 (g) "Serious misdemeanor" means that term as defined in  
22 section 61 of Act No. 87 of the Public Acts of 1985, being  
23 section 780.811 of the Michigan Compiled Laws.

24 (h) "Specified misdemeanor" means a violation of any of the  
25 following:

26 (i) Section 602a, 625(1) or (3), 626, or 904 of the Michigan  
27 vehicle code, Act No. 300 of the Public Acts of 1949, being

1 sections 257.602a, 257.625, 257.626, and 257.904 of the Michigan  
2 Compiled Laws if the violation is a misdemeanor.

3       (ii) Section ~~+5(1)(b) of Act No. 74 of the Public Acts of~~  
4 ~~+1968, being section 257.1515~~ 82126 OF PART 821 (SNOWMOBILES) OF  
5 THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, ACT  
6 NO. 451 OF THE PUBLIC ACTS OF 1994, BEING SECTION 324.82126 of  
7 the Michigan Compiled Laws.

8       (iii) Section ~~20a(1) or (2) or 20b of Act No. 319 of the~~  
9 ~~Public Acts of 1975, being sections 257.1620a and 257.1620b~~  
10 81134(1) OR (2) OR 81135 OF PART 811 (OFF-ROAD RECREATION  
11 VEHICLES) OF ACT NO. 451 OF THE PUBLIC ACTS OF 1994, BEING SEC-  
12 TIONS 324.81134 AND 324.81135 of the Michigan Compiled Laws.

13       (iv) Section ~~+71 of the marine safety act, Act No. 303 of~~  
14 ~~the Public Acts of 1967, being section 281.1171~~ 80176 OF PART  
15 801 (MARINE SAFETY) OF ACT NO. 451 OF THE PUBLIC ACTS OF 1994,  
16 BEING SECTION 324.80176 of the Michigan Compiled Laws.

17       (v) Section 185 of the aeronautics code of the state of  
18 Michigan, Act No. 327 of the Public Acts of 1945, being section  
19 259.185 of the Michigan Compiled Laws.

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

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

1       (viii) Section ~~2 or 3 of Act No. 4 of the Public Acts of~~  
2 ~~1986, being sections 470.202 and 470.203~~ 353 OR 355 OF THE  
3 RAILROAD CODE OF 1993, ACT NO. 354 OF THE PUBLIC ACTS OF 1993,  
4 BEING SECTIONS 462.353 AND 462.355 of the Michigan Compiled  
5 Laws.

6       (ix) Section 174, 218, 356, 356d, 359, 362, 362a, 377a, 380,  
7 479a, 535, or 540e of the Michigan penal code, Act No. 328 of the  
8 Public Acts of 1931, being sections 750.174, 750.218, 750.356,  
9 750.356d, 750.359, 750.362, 750.362a, 750.377a, 750.380,  
10 750.479a, 750.535, and 750.540e of the Michigan Compiled Laws, if  
11 the violation is a misdemeanor.