

SUBSTITUTE FOR
HOUSE BILL NO. 5256

(As amended June 23, 1998)

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"

[(MCL 750.1 to 750.568)]
by adding sections 219e
and 219f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 ~~[Sec. 219. (1) Written false statements about financial~~
2 ~~condition to obtain credit, etc.--Any A person shall be guilty~~
3 ~~of a misdemeanor, punishable by imprisonment in the county jail~~
4 ~~for not more than 1 year, or by a fine of not more than 500 dol-~~
5 ~~lars, who, either individually or in a representative capacity~~
6
7 ~~(A) First, shall knowingly~~ ~~make a false state-~~
8 ~~ment in writing to any person, firm or corporation engaged in~~
9 ~~banking or other business respecting his own financial condition~~
10 ~~or the financial condition of any firm or corporation with which~~

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1 to
2 ~~any~~ note broker or other agent for the sale or negotiation of
3 commercial paper, ~~any statement in writing, knowing the same to~~
4 ~~be false, respecting his own financial condition or the financial~~
5 ~~condition of any firm or corporation with which he is connected~~
6 ~~as aforesaid, for the purpose of having such statement used in~~
7 ~~furtherance of~~ the sale, pledge, or negotiation of
8 ~~any~~ note, bill, or other instrument for the payment of money.
9 ~~made or endorsed or accepted or owned in whole or in part by him~~
10 ~~individually or by the firm or corporation with which he is so~~
11 ~~connected; or~~
12 (D) ~~Fourth, having~~ previously delivered or having
13 ~~knowledge that another~~ has previously delivered to any
14 ~~note broker or other agent for the sale or negotiation of commer-~~
15 ~~cial paper a statement in writing respecting his own financial~~
16 ~~condition or the financial condition of any firm or corporation~~
17 ~~with which he is connected as aforesaid, shall afterwards~~
18 deliver to such note
19 broker or other agent for the purpose of sale, pledge, or nego=
20 ~~tiation on faith of such~~ statement, ~~any~~ note, bill, or
21 ~~other instrument for the payment of money, made or endorsed or~~
22 ~~accepted or owned in whole or in part by himself individually or~~
23 ~~by the firm or corporation with which he is so connected, know-~~
24 ~~ing at the time that such previously delivered~~ state=
25 ~~ment is in any material particular~~ false as to the
26 ~~present~~ financial condition of himself
27 ~~or of such firm or corporation~~ .

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4 SEC. 219E. (1) A PERSON SHALL NOT PREPARE OR SUBMIT AN
5 APPLICATION FOR A LOAN OR OTHER FINANCIAL CREDIT IN ANOTHER
6 PERSON'S NAME WITHOUT AUTHORIZATION FROM THAT OTHER PERSON.

7 (2) A PERSON WHO VIOLATES SUBSECTION (1) IS GUILTY OF A [FELONY

8] PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN [4 YEARS] OR

A

9 FINE OF NOT MORE THAN [\$2,500.00], OR BOTH.

10 SEC. 219F. (1) A PERSON SHALL NOT FORWARD AN APPLICATION
11 FOR A LOAN OR OTHER FINANCIAL CREDIT ON BEHALF OF A PERSON TO
12 ANOTHER PERSON KNOWING OR HAVING REASON TO KNOW THE APPLICATION
13 HAS BEEN PREPARED OR IS BEING SUBMITTED IN VIOLATION OF THIS
14 CHAPTER.

15 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY
16 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A FINE OF
17 NOT MORE THAN \$100,000.00, OR BOTH.

[Enacting section 1. This amendatory act takes effect October
1, 1998.]