

**SUBSTITUTE FOR  
HOUSE BILL NO. 5419**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 8, 10, 11, 12, 31, 33, and 34 of chapter IX and section 14 of chapter XI (MCL 769.8, 769.10, 769.11, 769.12, 769.31, 769.33, 769.34, and 771.14), section 8 of chapter IX as amended by 1994 PA 322, sections 10 and 11 of chapter IX as amended by 1988 PA 90, and section 12 of chapter IX and section 14 of chapter XI as amended and sections 31, 33, and 34 of chapter IX as added by 1994 PA 445, and by adding section 35 to chapter IX and adding chapter XVII.

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

1

CHAPTER IX

2

Sec. 8. (1) When a person is convicted for the first time

3

for committing a felony and the punishment prescribed by law for

4

that offense may be imprisonment in a state prison, the court

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1 imposing sentence shall not fix a definite term of imprisonment,  
2 but shall fix a minimum term, except as otherwise provided in  
3 this chapter. The maximum penalty provided by law shall be the  
4 maximum sentence in all cases except as provided in this chapter  
5 and shall be stated by the judge in imposing the sentence.

6 ~~-(2) If the defendant sentenced to an indeterminate term is~~  
7 ~~a person who will be a prisoner subject to disciplinary time~~  
8 ~~under section 34 of Act No. 118 of the Public Acts of 1893, being~~  
9 ~~section 800.34 of the Michigan Compiled Laws, the court shall~~  
10 ~~advise the defendant that his or her minimum term may be extended~~  
11 ~~by the addition of disciplinary time pursuant to section 34 of~~  
12 ~~Act No. 118 of the Public Acts of 1893 for misconduct while a~~  
13 ~~prisoner.~~

14 (2) ~~-(3)-~~ Before or at the time of imposing ~~the~~ sentence,  
15 the judge shall ascertain by examining the ~~convict~~ DEFENDANT  
16 under oath, or otherwise, and by other evidence as can be  
17 obtained tending to indicate briefly the causes of the  
18 DEFENDANT'S criminal character or conduct, ~~of the convict,~~  
19 which facts and other facts that appear to be pertinent in the  
20 case ~~,~~ the judge shall cause to be entered upon the minutes of  
21 the court.

22 Sec. 10. (1) If a person has been convicted of a felony ~~,~~  
23 OR an attempt to commit a felony, ~~or both,~~ whether the convic-  
24 tion occurred in this state or would have been for a felony OR  
25 ATTEMPT TO COMMIT A FELONY in this state if ~~the conviction~~  
26 ~~obtained outside this state had been~~ obtained in this state, and  
27 that person commits a subsequent felony within this state, the

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1 person shall be punished upon conviction OF THE SUBSEQUENT FELONY  
2 AND SENTENCING UNDER SECTION 13 OF THIS CHAPTER as follows:

3 (a) If the subsequent felony is punishable upon a first con-  
4 viction by imprisonment for a term less than life, ~~then~~ the  
5 court, except as otherwise provided in this section or ~~in~~ sec-  
6 tion 1 of chapter ~~11~~ XI, may place the person on probation or  
7 sentence the person to imprisonment for a maximum term ~~which~~  
8 THAT is not more than 1-1/2 times the longest term prescribed for  
9 a first conviction of that offense or for a lesser term.

10 (b) If the subsequent felony is punishable upon a first con-  
11 viction by imprisonment for life, ~~then~~ the court, except as  
12 otherwise provided in this section or ~~in~~ section 1 of chapter  
13 ~~11~~ XI, may place the person on probation or sentence the person  
14 to imprisonment for life or for a lesser term.

15 (c) If the subsequent felony is a major controlled substance  
16 offense, the person shall be punished as provided by part 74 of  
17 the public health code, ~~Act No. 368 of the Public Acts of 1978,~~  
18 ~~being sections 333.7401 to 333.7415 of the Michigan Compiled~~  
19 ~~Laws~~ 1978 PA 368, MCL 333.7401 TO 333.7461.

20 (2) If the court pursuant to this section imposes a sentence  
21 of imprisonment for any term of years, the court shall fix the  
22 length of both the minimum and maximum sentence within any speci-  
23 fied limits in terms of years or A fraction ~~thereof~~ OF A YEAR  
24 and the sentence so imposed shall be considered an indeterminate  
25 sentence.

26 (3) A CONVICTION SHALL NOT BE USED TO ENHANCE A SENTENCE  
27 UNDER THIS SECTION IF THAT CONVICTION IS USED TO ENHANCE A

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1 SENTENCE UNDER A STATUTE THAT PROHIBITS USE OF THE CONVICTION FOR  
2 FURTHER ENHANCEMENT UNDER THIS SECTION.

3       Sec. 11. (1) If a person has been convicted of ANY COMBINA-  
4 TION OF 2 or more felonies ~~—~~ OR attempts to commit felonies,  
5 ~~or both,~~ whether the convictions occurred in this state or  
6 would have been for felonies OR ATTEMPTS TO COMMIT FELONIES in  
7 this state if ~~the convictions obtained outside this state had~~  
8 ~~been~~ obtained in this state, and that person commits a subse-  
9 quent felony within this state, the person shall be punished upon  
10 conviction OF THE SUBSEQUENT FELONY AND SENTENCING UNDER SECTION  
11 13 OF THIS CHAPTER as follows:

12       (a) If the subsequent felony is punishable upon a first con-  
13 viction by imprisonment for a term less than life, ~~then~~ the  
14 court, except as otherwise provided in this section or section 1  
15 of chapter ~~11~~ XI, may sentence the person to imprisonment for a  
16 maximum term ~~which~~ THAT is not more than twice the longest term  
17 prescribed by law for a first conviction of that offense or for a  
18 lesser term.

19       (b) If the subsequent felony is punishable upon a first con-  
20 viction by imprisonment for life, ~~then~~ the court, except as  
21 otherwise provided in this section or section 1 of chapter ~~11~~  
22 XI, may sentence the person to imprisonment for life or for a  
23 lesser term.

24       (c) If the subsequent felony is a major controlled substance  
25 offense, the person shall be punished as provided by part 74 of  
26 the public health code, ~~Act No. 368 of the Public Acts of 1978,~~

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1 ~~being sections 333.7401 to 333.7415 of the Michigan Compiled~~  
2 ~~Laws~~ 1978 PA 368, MCL 333.7401 TO 333.7461.

3 (2) If the court pursuant to this section imposes a sentence  
4 of imprisonment for any term of years, the court shall fix the  
5 length of both the minimum and maximum sentence within any speci-  
6 fied limits in terms of years or A fraction ~~thereof~~ OF A YEAR,  
7 and the sentence so imposed shall be considered an indeterminate  
8 sentence.

9 (3) A CONVICTION SHALL NOT BE USED TO ENHANCE A SENTENCE  
10 UNDER THIS SECTION IF THAT CONVICTION IS USED TO ENHANCE A SEN-  
11 TENCE UNDER A STATUTE THAT PROHIBITS USE OF THE CONVICTION FOR  
12 FURTHER ENHANCEMENT UNDER THIS SECTION.

13 Sec. 12. (1) If a person has been convicted of any combina-  
14 tion of 3 or more felonies or attempts to commit felonies,  
15 whether the convictions occurred in this state or would have been  
16 for felonies or attempts to commit felonies in this state if  
17 obtained in this state, and that person commits a subsequent  
18 felony within this state, the person shall be punished upon con-  
19 viction of the subsequent felony and sentencing under section 13  
20 of this chapter as follows:

21 (a) If the subsequent felony is punishable upon a first con-  
22 viction by imprisonment for a maximum term of 5 years or more or  
23 for life, the court, except as otherwise provided in this section  
24 or section 1 of chapter XI, may sentence the person ~~upon convic-~~  
25 ~~tion of the fourth or subsequent offense~~ to imprisonment for  
26 life or for a lesser term.

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1 (b) If the subsequent felony is punishable upon a first  
2 conviction by imprisonment for a maximum term that is less than 5  
3 years, the court, except as otherwise provided in this section or  
4 section 1 of chapter XI, may sentence the person to imprisonment  
5 for a maximum term of not more than 15 years.

6 (c) If the subsequent felony is a major controlled substance  
7 offense, the person shall be punished as provided by part 74 of  
8 the public health code, ~~Act No. 368 of the Public Acts of 1978,~~  
9 ~~being sections 333.7401 to 333.7461 of the Michigan Compiled~~  
10 ~~Laws~~ 1978 PA 368, MCL 333.7401 TO 333.7461.

11 (2) If the court pursuant to this section imposes a sentence  
12 of imprisonment for any term of years, the court shall fix the  
13 length of both the minimum and maximum sentence within any speci-  
14 fied limits in terms of years or a fraction of a year, and the  
15 sentence so imposed shall be considered an indeterminate  
16 sentence.

17 (3) A CONVICTION SHALL NOT BE USED TO ENHANCE A SENTENCE  
18 UNDER THIS SECTION IF THAT CONVICTION IS USED TO ENHANCE A SEN-  
19 TENCE UNDER A STATUTE THAT PROHIBITS USE OF THE CONVICTION FOR  
20 FURTHER ENHANCEMENT UNDER THIS SECTION.

21 (4) ~~(3)~~ An offender sentenced under this section or sec-  
22 tion 10 or 11 of this chapter for an offense other than a major  
23 controlled substance offense is not eligible for parole until  
24 expiration of the following:

25 (a) For a prisoner other than a prisoner subject to disci-  
26 plinary time, the minimum term fixed by the sentencing judge at  
27 the time of sentence unless the sentencing judge or a successor

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1 gives written approval for parole at an earlier date authorized  
2 by law.

3 (b) For a prisoner subject to disciplinary time, the minimum  
4 term fixed by the sentencing judge. ~~plus any disciplinary time~~  
5 ~~accumulated pursuant to section 34 of Act No. 118 of the Public~~  
6 ~~Acts of 1893, being section 800.34 of the Michigan Compiled~~  
7 ~~Laws.~~

8 (5) ~~(4)~~ This section and sections 10 and 11 of this chap-  
9 ter are not in derogation of other provisions of law that permit  
10 or direct the imposition of a consecutive sentence for a subse-  
11 quent felony.

12 (6) ~~(5)~~ As used in this section, "prisoner subject to dis-  
13 ciplinary time" means that term as defined in section 34 of ~~Act~~  
14 ~~No. 118 of the Public Acts of 1893, being section 800.34 of the~~  
15 ~~Michigan Compiled Laws~~ 1893 PA 118, MCL 800.34.

16 Sec. 31. As used in this section and sections 32 to 34 of  
17 this chapter:

18 (a) "Commission" means the sentencing commission created in  
19 section 32 of this chapter.

20 (b) "Departure" means a sentence imposed that is not within  
21 the appropriate minimum sentence range established under the sen-  
22 tencing guidelines ~~developed pursuant to section 33 of this~~ SET  
23 FORTH IN chapter XVII.

24 (c) "Intermediate sanction" means probation or any sanction,  
25 other than imprisonment in a state prison or state reformatory,  
26 that may lawfully be imposed. Intermediate sanction includes,  
27 but is not limited to, 1 or more of the following:

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- 1 (i) Inpatient or outpatient drug treatment.
- 2 (ii) Probation with any probation conditions required or  
3 authorized by law.
- 4 (iii) Residential probation.
- 5 (iv) Probation with jail.
- 6 (v) Probation with special alternative incarceration.
- 7 (vi) Mental health treatment.
- 8 (vii) Mental health or substance abuse counseling.
- 9 (viii) Jail.
- 10 (ix) Jail with work or school release.
- 11 (x) Jail, with or without authorization for day parole under  
12 ~~Act No. 60 of the Public Acts of 1962, being sections 801.251 to~~  
13 ~~801.258 of the Michigan Compiled Laws~~ 1962 PA 60, MCL 801.251 TO  
14 801.258.
- 15 (xi) Participation in a community corrections program.
- 16 (xii) Community service.
- 17 (xiii) Payment of a fine.
- 18 (xiv) House arrest.
- 19 (xv) Electronic monitoring.
- 20 (d) "Offender characteristics" means only the prior criminal  
21 record of an offender.
- 22 (e) "Offense characteristics" means the elements of the  
23 crime and the aggravating and mitigating factors relating to the  
24 offense that the commission determines are appropriate and con-  
25 sistent with the criteria described in section 33(1)(e) of this  
26 chapter. For purposes of this subdivision, an offense described  
27 in section 33b of ~~Act No. 232 of the Public Acts of 1953, being~~

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1 ~~section 791.233b of the Michigan Compiled Laws~~ 1953 PA 232, MCL  
2 791.233B, that resulted in a conviction and that arose out of the  
3 same transaction as the offense for which the sentencing guide-  
4 lines are being scored shall be considered as an aggravating  
5 factor.

6 (f) "Prior criminal record" means all of the following:

7 (i) Misdemeanor and felony convictions.

8 (ii) Probation and parole violations involving criminal  
9 activity.

10 (iii) Dispositions entered ~~pursuant to~~ UNDER section 18 of  
11 chapter XIIIA of ~~Act No. 288 of the Public Acts of 1939, being~~  
12 ~~section 712A.18 of the Michigan Compiled Laws~~ 1939 PA 288, MCL  
13 712A.18, for acts that would have been crimes if committed by an  
14 adult.

15 (iv) Assignment to youthful trainee status ~~pursuant to~~  
16 UNDER sections 11 to 15 of chapter II.

17 (v) A conviction set aside ~~pursuant to Act No. 213 of the~~  
18 ~~Public Acts of 1965, being sections 780.621 to 780.624 of the~~  
19 ~~Michigan Compiled Laws~~ UNDER 1965 PA 213, MCL 780.621 TO  
20 780.624.

21 (vi) Dispositions described in subparagraph (iii) that have  
22 been set aside under section 18e of chapter XIIIA of ~~Act No. 288~~  
23 ~~of the Public Acts of 1939, being section 712A.18e of the~~  
24 ~~Michigan Compiled Laws~~ 1939 PA 288, MCL 712A.18E, or expunged.

25 (g) "Total capacity of state correctional facilities" means,  
26 at any given time, the capacities of all permanent and temporary  
27 state correctional facilities in use and all state correctional

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1 facilities approved for construction ~~pursuant to~~ UNDER the  
2 joint capital outlay process as of the preceding June 1.

3 Sec. 33. (1) The commission shall do all of the following:

4 (a) Collect, prepare, analyze, and disseminate information  
5 regarding state and local sentencing practices for felonies and  
6 the use of prisons and jails. The state court administrator  
7 shall continue to collect data regarding sentencing practices and  
8 shall provide the data necessary to the commission.

9 (b) Conduct on-going research regarding the impact of the  
10 sentencing guidelines ~~developed pursuant to this section~~ SET  
11 FORTH IN CHAPTER XVII.

12 (c) Collect, analyze, and compile data and make projections  
13 regarding the populations and capacities of state and local cor-  
14 rectional facilities and the impact of the sentencing guidelines  
15 on those populations and capacities.

16 (d) In cooperation with the state court administrator, col-  
17 lect, analyze, and compile data regarding the effect of sentenc-  
18 ing guidelines on the case load, docket flow, and case backlog of  
19 the trial and appellate courts of this state.

20 (e) Develop ~~sentencing guidelines, including sentence~~  
21 ~~ranges for the minimum sentence for each offense and intermediate~~  
22 ~~sanctions as provided in subsection (3), and~~ modifications to  
23 the SENTENCING guidelines as provided in subsection ~~(5)~~ (4).  
24 ~~The sentencing guidelines and any~~ ANY modifications to the  
25 SENTENCING guidelines shall accomplish all of the following:

26 (i) Provide for protection of the public.

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1       (ii) ~~An~~ CONSIDER AN offense involving violence against a  
2 person ~~shall be considered~~ AS more severe than other offenses.

3       (iii) Be proportionate to the seriousness of the offense and  
4 the offender's prior criminal record.

5       (iv) Reduce sentencing disparities based on factors other  
6 than offense characteristics and offender characteristics and  
7 ensure that offenders with similar offense and offender charac-  
8 teristics receive substantially similar sentences.

9       (v) Specify the circumstances under which a term of impris-  
10 onment is proper and the circumstances under which intermediate  
11 sanctions are proper.

12       (vi) Establish sentence ranges for imprisonment that are  
13 within the minimum and maximum sentences allowed by law for the  
14 offenses to which the ranges apply.

15       (vii) ~~Establish~~ MAINTAIN separate sentence ranges for con-  
16 victions under the habitual offender provisions in sections 10,  
17 11, 12, and 13 of this chapter, which may include as an aggravat-  
18 ing factor, among other relevant considerations, that the accused  
19 has engaged in a pattern of proven or admitted criminal  
20 behavior.

21       (viii) Establish sentence ranges the commission considers  
22 appropriate.

23       (2) In developing ~~recommended~~ MODIFICATIONS TO THE sen-  
24 tencing guidelines, the commission shall consider the likelihood  
25 that the capacity of state and local correctional facilities will  
26 be exceeded. The commission shall submit to the legislature a  
27 prison impact report relating to any MODIFICATIONS TO sentencing

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1 guidelines. ~~submitted under this section.~~ The report shall  
2 include the projected impact on total capacity of state correc-  
3 tional facilities.

4 (3) ~~The~~ MODIFICATIONS TO sentencing guidelines shall  
5 include recommended intermediate sanctions for each case in which  
6 the upper limit of the recommended minimum sentence range is  
7 18 months or less.

8 ~~(4) The commission shall submit the recommended sentencing~~  
9 ~~guidelines developed pursuant to this section to the secretary of~~  
10 ~~the senate and the clerk of the house of representatives on or~~  
11 ~~before July 15, 1996. If a proper request is submitted by a~~  
12 ~~senior member of the legislature, the legislative service bureau~~  
13 ~~shall prepare by September 15, 1996 a bill embodying the~~  
14 ~~commission's recommended sentencing guidelines for introduction.~~  
15 ~~If sentencing guidelines are not enacted into law by the legisla-~~  
16 ~~ture by December 31, 1996, the commission shall revise the guide-~~  
17 ~~lines and submit the revised sentencing guidelines to the secre-~~  
18 ~~tary of the senate and the clerk of the house of representatives~~  
19 ~~by March 31, 1997. If sentencing guidelines are not enacted into~~  
20 ~~law by the legislature within 60 days after the commission sub-~~  
21 ~~mits the revised sentencing guidelines to the secretary of the~~  
22 ~~senate and the clerk of the house of representatives, the commis-~~  
23 ~~sion shall revise the sentencing guidelines and submit the~~  
24 ~~revised guidelines to the secretary of the senate and the clerk~~  
25 ~~of the house of representatives within 90 days. The revised sen-~~  
26 ~~tencing guidelines are subject to the requirements of~~  
27 ~~subsections (1), (2), and (3) and to the same enactment process~~

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1 ~~as the sentencing guidelines originally submitted pursuant to~~  
2 ~~this subsection. Until the legislature enacts sentencing guide-~~  
3 ~~lines into law, the commission shall continue to revise and~~  
4 ~~resubmit the sentencing guidelines to the legislature as provided~~  
5 ~~in this subsection.~~

6       (4) ~~-(5)-~~ The commission may recommend modifications to the  
7 sentencing guidelines ~~enacted into law under subsection (4)~~ SET  
8 FORTH IN CHAPTER XVII. Modifications of those sentencing guide-  
9 lines shall not be recommended sooner than ~~2 years after the~~  
10 ~~effective date of those sentencing guidelines,~~ JANUARY 1, 2001  
11 unless the modifications are based upon omissions, technical  
12 errors, changes in the law, or court decisions. Subsequent modi-  
13 fications shall not be recommended sooner than 2 years after pre-  
14 vious modifications other than modifications based upon omis-  
15 sions, technical errors, changes in the law, or court decisions.  
16 ~~Any modification proposed by the commission as permitted under~~  
17 ~~this subsection is subject to the same enactment process as set~~  
18 ~~forth in subsection (4).~~

19       (5) THE COMMISSION SHALL SUBMIT ANY RECOMMENDED MODIFICA-  
20 TIONS TO THE SENTENCING GUIDELINES TO THE SECRETARY OF THE SENATE  
21 AND THE CLERK OF THE HOUSE OF REPRESENTATIVES. IF THE LEGISLA-  
22 TURE DOES NOT ENACT MODIFICATIONS TO THE SENTENCING GUIDELINES  
23 WITHIN 60 DAYS AFTER INTRODUCTION OF A BILL TO ENACT SENTENCING  
24 GUIDELINES MODIFICATIONS BASED ON THE RECOMMENDATIONS, THE COM-  
25 MISSION SHALL REVISE THE RECOMMENDED MODIFICATIONS AND SUBMIT  
26 THEM TO THE SECRETARY OF THE SENATE AND THE CLERK OF THE HOUSE OF  
27 REPRESENTATIVES WITHIN 90 DAYS. THE REVISED MODIFICATIONS ARE

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1 SUBJECT TO THE REQUIREMENTS OF SUBSECTIONS (1), (2), AND (3).  
2 UNTIL THE LEGISLATURE ENACTS MODIFICATIONS TO THE SENTENCING  
3 GUIDELINES INTO LAW, THE COMMISSION SHALL CONTINUE TO REVISE AND  
4 RESUBMIT THE MODIFICATIONS TO THE LEGISLATURE UNDER THE SCHEDULE  
5 PROVIDED IN THIS SUBSECTION.

6       Sec. 34. (1) The sentencing guidelines promulgated by order  
7 of the Michigan supreme court shall not apply to felonies  
8 ENUMERATED IN PART 2 OF CHAPTER XVII committed on or after ~~the~~  
9 ~~effective date of the act by which the legislature enacts sen-~~  
10 ~~tencing guidelines into law~~ JANUARY 1, 1999.

11       (2) Except AS OTHERWISE PROVIDED IN THIS SUBSECTION OR for a  
12 departure from the appropriate minimum sentence range provided  
13 for under subsection (3), the minimum sentence imposed by a court  
14 of this state for a felony ENUMERATED IN PART 2 OF CHAPTER XVII  
15 committed on or after ~~the effective date of the act first enact-~~  
16 ~~ing into law the sentencing guidelines developed pursuant to~~  
17 ~~section 33 of this chapter~~ JANUARY 1, 1999 shall be within the  
18 appropriate sentence range under the VERSION OF THOSE sentencing  
19 guidelines in effect on the date the crime was committed. BOTH  
20 OF THE FOLLOWING APPLY TO MINIMUM SENTENCES UNDER THIS  
21 SUBSECTION:

22       (A) IF A STATUTE MANDATES A MINIMUM SENTENCE, THE COURT  
23 SHALL IMPOSE SENTENCE IN ACCORDANCE WITH THAT STATUTE. IMPOSING  
24 A MANDATORY MINIMUM SENTENCE IS NOT A DEPARTURE UNDER THIS  
25 SECTION.

26       (B) THE COURT SHALL NOT IMPOSE A MINIMUM SENTENCE, INCLUDING  
27 A DEPARTURE, THAT EXCEEDS 2/3 OF THE STATUTORY MAXIMUM SENTENCE.

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1       (3) ~~Subject to the following limitations, a~~ A court may  
2 depart from the appropriate sentence range established under the  
3 sentencing guidelines ~~enacted into law pursuant to section 33 of~~  
4 ~~this~~ SET FORTH IN chapter XVII if the court has a substantial  
5 and compelling reason for that departure and states on the record  
6 the reasons for departure. ALL OF THE FOLLOWING APPLY TO A  
7 DEPARTURE:

8       (a) The court shall not use an individual's gender, race,  
9 ethnicity, alienage, national origin, legal occupation, lack of  
10 employment, representation by appointed legal counsel, represen-  
11 tation by retained legal counsel, appearance in propria persona,  
12 or religion to depart from the appropriate sentence range.

13       (b) The court shall not base a departure on an offense char-  
14 acteristic or offender characteristic already taken into account  
15 in determining the appropriate sentence range unless the court  
16 finds from the facts contained in the court record, including the  
17 presentence investigation report, that the characteristic has  
18 been given inadequate or disproportionate weight.

19       (4) ~~Beginning on the effective date of the act first enact-~~  
20 ~~ing into law the sentencing guidelines developed pursuant to sec-~~  
21 ~~tion 33 of this chapter, if~~ INTERMEDIATE SANCTIONS SHALL BE  
22 IMPOSED UNDER THIS CHAPTER AS FOLLOWS:

23       (A) IF the upper limit of the ~~appropriate~~ RECOMMENDED min-  
24 imum sentence RANGE for a defendant ~~convicted for a felony com-~~  
25 ~~mited on or after that date is 18 months or less~~ DETERMINED  
26 under the sentencing guidelines SET FORTH IN CHAPTER XVII IS 18  
27 MONTHS OR LESS, the court shall impose an intermediate sanction

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1 unless the court states on the record a substantial and  
2 compelling reason to sentence the individual to the jurisdiction  
3 of the department of corrections. AN INTERMEDIATE SANCTION MAY  
4 INCLUDE A JAIL TERM THAT DOES NOT EXCEED THE UPPER LIMIT OF THE  
5 RECOMMENDED MINIMUM SENTENCE RANGE OR 12 MONTHS, WHICHEVER IS  
6 LESS.

7 (B) IF THE OFFENSE IS A VIOLATION OF SECTION 7401(2)(A)(iv)  
8 OR 7403(2)(A)(iv) OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL  
9 333.7401 AND 333.7403, AND THE UPPER LIMIT OF THE RECOMMENDED  
10 MINIMUM SENTENCE RANGE IS 18 MONTHS OR LESS, THE COURT SHALL  
11 IMPOSE A SENTENCE OF LIFE PROBATION ABSENT A DEPARTURE.

12 (C) IF AN ATTEMPT TO COMMIT A FELONY DESIGNATED IN OFFENSE  
13 CLASS H IN PART 2 OF THIS CHAPTER IS PUNISHABLE BY IMPRISONMENT  
14 FOR MORE THAN 1 YEAR, THE COURT SHALL IMPOSE AN INTERMEDIATE  
15 SANCTION UPON CONVICTION OF THAT OFFENSE ABSENT A DEPARTURE.

16 (D) IF THE UPPER LIMIT OF THE RECOMMENDED MINIMUM SENTENCE  
17 EXCEEDS 18 MONTHS AND THE LOWER LIMIT OF THE RECOMMENDED MINIMUM  
18 SENTENCE IS 12 MONTHS OR LESS, THE COURT SHALL SENTENCE THE  
19 OFFENDER AS FOLLOWS ABSENT A DEPARTURE:

20 (i) TO IMPRISONMENT WITH A MINIMUM TERM WITHIN THAT RANGE.

21 (ii) TO AN INTERMEDIATE SANCTION THAT INCLUDES A TERM OF  
22 IMPRISONMENT OF NOT LESS THAN THE MINIMUM RANGE OR MORE THAN 12  
23 MONTHS.

24 (5) If a crime has a mandatory determinant penalty or a man-  
25 datory penalty of life imprisonment, the court shall impose that  
26 penalty. This section does not apply to sentencing for that  
27 crime.

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1 (6) As part of the sentence, the court may also order the  
2 defendant to pay any combination of a fine, costs, or applicable  
3 assessments. The court shall order payment of restitution as  
4 provided by law.

5 (7) If the trial court imposes on a defendant a minimum sen-  
6 tence that is longer or more severe than the appropriate sentence  
7 range, as part of the court's advice of the defendant's rights  
8 concerning appeal, the court shall advise the defendant orally  
9 and in writing that he or she may appeal the sentence as provided  
10 by law on grounds that it is longer or more severe than the  
11 appropriate sentence range.

12 (8) All of the following shall be part of the record filed  
13 for an appeal of a sentence under this section:

14 (a) An entire record of the sentencing proceedings.

15 (b) The presentence investigation report. Any portion of  
16 the presentence investigation report exempt from disclosure by  
17 law shall not be a public record.

18 (c) Any other reports or documents the sentencing court used  
19 in imposing sentence.

20 (9) An appeal of a sentence under this section does not stay  
21 execution of the sentence.

22 (10) If a minimum sentence is within the appropriate guide-  
23 lines sentence range, the court of appeals shall affirm that sen-  
24 tence and shall not remand for resentencing absent an error in  
25 scoring the sentencing guidelines or inaccurate information  
26 relied upon in determining the defendant's sentence. A party  
27 shall not raise on appeal an issue challenging the scoring of the

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1 sentencing guidelines or challenging the accuracy of information  
2 relied upon in determining a sentence that is within the appro-  
3 priate guidelines sentence range unless the party has raised the  
4 issue at sentencing, in a proper motion for resentencing, or in a  
5 proper motion to remand filed in the court of appeals.

6 (11) If, upon a review of the record, the court of appeals  
7 finds the trial court did not have a substantial and compelling  
8 reason for departing from the appropriate sentence range, the  
9 court shall remand the matter to the sentencing judge or another  
10 trial court judge for resentencing ~~pursuant to~~ UNDER this  
11 chapter.

12 (12) Time served on the sentence appealed under this section  
13 is considered time served on any sentence imposed after remand.

14 [SEC. 35. THE DEPARTMENT OF CORRECTIONS SHALL OPERATE A JAIL  
15 REIMBURSEMENT PROGRAM THAT PROVIDES FUNDING TO COUNTIES FOR HOUSING  
16 OFFENDERS IN COUNTY JAILS WHO OTHERWISE WOULD HAVE BEEN SENTENCED TO  
17 PRISON. THE CRITERIA FOR REIMBURSEMENT, INCLUDING BUT NOT LIMITED  
18 TO CRITERIA FOR DETERMINING THOSE OFFENDERS WHO OTHERWISE WOULD HAVE  
19 BEEN SENTENCED TO PRISON, AND THE RATE OF REIMBURSEMENT SHALL BE  
ESTABLISHED IN THE ANNUAL APPROPRIATIONS ACTS FOR THE DEPARTMENT OF  
CORRECTIONS.]

20 CHAPTER XI

21 Sec. 14. (1) Before the court sentences a person charged  
22 with a felony or a person who is a licensee or registrant under  
23 article 15 of the public health code, ~~Act No. 368 of the Public~~  
24 ~~Acts of 1978, being sections 333.16101 to 333.18838 of the~~  
25 ~~Michigan Compiled Laws~~ 1978 PA 368, MCL 333.16101 TO 333.18838,  
26 as described in section 1(11) of chapter IX, and, if directed by  
27 the court, in any other case in which a person is charged with a

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1 misdemeanor within the jurisdiction of the court, the probation  
2 officer shall inquire into the antecedents, character, and cir-  
3 cumstances of the person, and shall report in writing to the  
4 court.

5 (2) A presentence investigation report prepared ~~pursuant~~  
6 ~~to~~ UNDER subsection (1) shall include all of the following:

7 (a) An evaluation of and a prognosis for the person's  
8 adjustment in the community based on factual information con-  
9 tained in the report.

10 (b) If requested by a victim, any written impact statement  
11 submitted by the victim ~~pursuant to~~ UNDER the crime victim's  
12 rights act, ~~Act No. 87 of the Public Acts of 1985, being~~  
13 ~~sections 780.751 to 780.834 of the Michigan Compiled Laws~~ 1985  
14 PA 87, MCL 780.751 TO 780.834.

15 (c) A specific written recommendation for disposition based  
16 on the evaluation and other information as prescribed by the  
17 assistant director of the department of corrections in charge of  
18 probation.

19 (d) A statement prepared by the prosecuting attorney as to  
20 whether consecutive sentencing is required or authorized by law.

21 (e) For a person to be sentenced ~~pursuant to~~ UNDER the  
22 sentencing guidelines ~~enacted into law pursuant to section 33~~  
23 ~~of~~ SET FORTH IN chapter ~~IX~~ XVII, all of the following:

24 (i) For each conviction entered, the sentence grid IN PART 6  
25 OF CHAPTER XVII that contains the ~~appropriate~~ RECOMMENDED mini-  
26 mum sentence ~~range~~ RANGES.

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1       (ii) The computation that determines the ~~appropriate~~  
2 RECOMMENDED minimum sentence range for each conviction entered.  
3       (iii) A specific statement as to the applicability of inter-  
4 mediate sanctions, as defined in section 31 of chapter IX.  
5       (iv) The recommended sentence.  
6       (f) If a person is to be sentenced for A FELONY OR FOR a  
7 misdemeanor involving the illegal delivery, possession, or use of  
8 alcohol or a controlled substance, ~~or a felony,~~ a statement  
9 that the person is licensed or registered under article 15 of the  
10 public health code, ~~Act No. 368 of the Public Acts of 1978,~~  
11 ~~being sections 333.16101 to 333.18838 of the Michigan Compiled~~  
12 ~~Laws~~ 1978 PA 368, MCL 333.16101 TO 333.18838, if applicable.  
13       (g) Diagnostic opinions that are available and not exempted  
14 from disclosure under subsection (3).  
15       (3) The court may exempt from disclosure in the presentence  
16 investigation report information or a diagnostic opinion that  
17 might seriously disrupt a program of rehabilitation or sources of  
18 information obtained on a promise of confidentiality. If a part  
19 of the presentence investigation report is not disclosed, the  
20 court shall state on the record the reasons for its action and  
21 inform the defendant and his or her attorney that information has  
22 not been disclosed. The action of the court in exempting infor-  
23 mation from disclosure is subject to appellate review.  
24 Information or a diagnostic opinion exempted from disclosure pur-  
25 suant to this subsection shall be specifically noted in the pre-  
26 sentence investigation report.

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1           (4) IF A PREPARED PRESENTENCE INVESTIGATION REPORT IS  
2 AMENDED OR ALTERED BEFORE SENTENCING BY THE SUPERVISOR OF THE  
3 PROBATION OFFICER WHO PREPARED THE REPORT OR BY ANY OTHER PERSON  
4 WHO HAS THE AUTHORITY TO AMEND OR ALTER A PRESENTENCE INVESTIGA-  
5 TION REPORT, THE PROBATION OFFICER MAY REQUEST THAT THE COURT  
6 STRIKE HIS OR HER NAME FROM THE REPORT AND THE COURT SHALL COMPLY  
7 WITH THAT REQUEST.

8           (5) ~~-(4)-~~ The court shall permit the prosecutor, the  
9 defendant's attorney, and the defendant to review the presentence  
10 investigation report before sentencing.

11           (6) ~~-(5)-~~ At the time of sentencing, either party may chal-  
12 lenge, on the record, the accuracy or relevancy of any informa-  
13 tion contained in the presentence investigation report. The  
14 court may order an adjournment to permit the parties to prepare a  
15 challenge or a response to a challenge. If the court finds on  
16 the record that the challenged information is inaccurate or  
17 irrelevant, that finding shall be made a part of the record, the  
18 presentence investigation report shall be amended, and the inac-  
19 curate or irrelevant information shall be stricken accordingly  
20 before the report is transmitted to the department of  
21 corrections.

22           (7) ~~-(6)-~~ On appeal, the defendant's attorney, or the  
23 defendant if proceeding pro se, shall be provided with a copy of  
24 the presentence investigation report and any attachments to the  
25 report with the exception of any information exempted from dis-  
26 closure ~~, on the record,~~ by the court ~~pursuant to~~ UNDER  
27 subsection (3).



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1 (C) "HOMICIDE" MEANS ANY CRIME IN WHICH THE DEATH OF A HUMAN  
2 BEING IS AN ELEMENT OF THAT CRIME.

3 (D) "INTERMEDIATE SANCTION" MEANS THAT TERM AS DEFINED IN  
4 SECTION 31 OF CHAPTER IX.

5 (E) "VEHICLE" MEANS THAT TERM AS DEFINED IN SECTION 79 OF  
6 THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.49.

7 SEC. 5. THE OFFENSE CATEGORIES ARE DESIGNATED IN PART 2 OF  
8 THIS CHAPTER AS FOLLOWS:

9 (A) CRIMES AGAINST A PERSON ARE DESIGNATED "PERSON".

10 (B) CRIMES AGAINST PROPERTY ARE DESIGNATED "PROPERTY".

11 (C) CRIMES INVOLVING A CONTROLLED SUBSTANCE ARE DESIGNATED  
12 "CS".

13 (D) CRIMES AGAINST PUBLIC ORDER ARE DESIGNATED "PUB ORD".

14 (E) CRIMES AGAINST PUBLIC TRUST ARE DESIGNATED "PUB TRST".

15 (F) CRIMES AGAINST PUBLIC SAFETY ARE DESIGNATED "PUB SAF".

16 SEC. 6. THE OFFENSE DESCRIPTIONS IN PART 2 OF THIS CHAPTER  
17 ARE FOR ASSISTANCE ONLY AND THE STATUTES LISTED GOVERN APPLICA-  
18 TION OF THE SENTENCING GUIDELINES.

19 PART 2

20 SEC. 11. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES  
21 ENUMERATED IN CHAPTERS 1 TO 199 OF THE MICHIGAN COMPILED LAWS:

22	M.C.L.	CATEGORY	CLASS	DESCRIPTION
	STAT MAX			
23	4.421(1)	PUB TRST	G	LOBBYISTS -- COMPENSATION CON-
24	3			TINGENT ON OUTCOME OF ACTION
25	4.421(2)	PUB TRST	G	LOBBYISTS GIVING GIFTS
	3			
26	18.366(1)	PROPERTY	E	FALSE PRESENTATION TO CRIME
27				VICTIM SERVICES COMMISSION
28	10			TO OBTAIN MORE THAN \$100

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1	18.1268(9)	PUB TRST	H	PURPOSEFULLY SUBMITTING FALSE BUSINESS CERTIFICATION
2	FINE			
3	21.154	PUB TRST	E	PUBLIC OFFICER -- EMBEZZLEMENT
5				
4	28.293(1)	PUB ORD	E	FALSE INFORMATION WHEN APPLYING FOR STATE ID
5				
6	28.293(2)	PUB ORD	D	FALSE INFORMATION WHEN APPLYING FOR STATE ID -- SECOND OFFENSE
7				
8				
9	28.293(3)	PUB ORD	C	FALSE INFORMATION WHEN APPLYING FOR STATE ID -- THIRD OR SUBSEQUENT OFFENSE
10				
11	15			
12	28.295(1)(A)	PUB ORD	H	FORGING STATE ID CARD TO COMMIT FELONY
13				
4				
14	28.295(3)	PROPERTY	H	USING STOLEN STATE ID CARD TO COMMIT FELONY
15	VARIABLE			
16	28.295A(1)	PUB ORD	H	FALSE REPRESENTATION TO OBTAIN OR MISUSE PERSONAL INFORMATION
17				
18				
4				
19	28.295A(2)	PUB ORD	G	FALSE REPRESENTATION TO OBTAIN OR MISUSE PERSONAL INFORMATION -- SECOND OFFENSE
20				
21	7			
22	28.295A(3)	PUB ORD	C	FALSE REPRESENTATION TO OBTAIN OR MISUSE PERSONAL INFORMATION -- THIRD OR SUBSEQUENT OFFENSE
23				
24				
25	15			
26	28.422	PUB SAF	G	PISTOLS -- LICENSE APPLICATION FORGERY
27				
4				
28	28.729	PUB ORD	G	SEX OFFENDERS -- FAILURE TO REGISTER
29				
4				
30	35.929	PUB TRST	H	WILLFUL FALSIFICATION IN APPLICATION FOR VETERANS BENEFITS
31				
32	3			
33	35.980	PUB TRST	H	FALSE STATEMENT IN APPLICATION FOR KOREAN VETERANS BENEFITS
34				
3				
35	35.1029	PUB TRST	H	FALSE STATEMENT IN APPLICATION FOR VIETNAM VETERANS BENEFITS
36				
37	3			

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1	38.412A(1)	PUB TRST	H	COUNTY EMPLOYEE PROVIDING
2				ANSWERS TO COUNTY CIVIL
3				SERVICE EXAM
	1			
4	38.516	PUB TRST	H	FIRE AND POLICE CIVIL SERVICE
5				-- APPOINTMENT OR EMPLOYMENT
6				CONTRARY TO ACT
	2			
7	45.82	PUB TRST	E	COUNTY PURCHASING AGENT --
8				VIOLATIONS IN AWARDING BIDS
9				OR CONTRACTS
	5			
10	47.8	PUB TRST	H	PAYMENT OF CLAIM AGAINST
11				COUNTY BEFORE AUDIT
	2			
12	47.56	PUB TRST	H	WAYNE COUNTY TREASURER PAYING
13				CLAIMS WITHOUT APPROPRIATE
14				SIGNATURE
	2			
15	51.364	PUB TRST	H	APPOINTMENT OR SELECTION CON-
16				TRARY TO CIVIL SERVICE COM-
17				MISSION RULES
	2			
18	110.28	PUB TRST	G	FOURTH CLASS CITIES -- MISAP-
19				PROPRIATION OF MONEY OR
20				PROPERTY
	3			
21	117.25(3)	PUB TRST	E	AMENDMENT TO CITY ELECTORS --
22				WILLFULLY AFFIXING ANOTHER'S
23				SIGNATURE, FALSE REP
	15			
24	125.1447	PROPERTY	G	MICHIGAN STATE HOUSING DEVEL-
25				OPMENT AUTHORITY -- FALSE
26				PRETENSES OVER \$100
	10			
27	168.731(4)	PUB TRST	G	ELECTION LAW -- FILING CERTAIN
28				FALSE STATEMENTS
	2			
29	168.734	PUB TRST	G	ELECTION LAW -- ELECTION BOARD
30				REFUSING TO PROVIDE CHAL-
31				LENGER CONVENIENCES
	2			
32	168.756	PUB TRST	E	ELECTOR'S FALSE STATEMENT CON-
33				CERNING INABILITY TO MARK
34				BALLOT
	5			
35	168.757	PUB TRST	E	ELECTION INSPECTOR -- UNLAWFUL
36				CONDUCT
	5			
37	168.759(8)	PUB TRST	E	FORGED SIGNATURE ON ABSENTEE
38				BALLOT
	5			

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1	168.759B	PUB TRST	E	FALSE STATEMENT IN APPLICATION
2				FOR EMERGENCY ABSENTEE
3				BALLOT
	5			
4	168.761(5)	PUB TRST	E	ASSISTING AN ABSENTEE VOTER IN
5				MAKING A FALSE STATEMENT
	5			
6	168.769(4)	PUB TRST	E	VOTING BOTH IN PERSON AND BY
7				ABSENTEE BALLOT
	5			
8	168.792A(11)	PUB TRST	E	DISCLOSING HOW BALLOT VOTED OR
9				ELECTION RESULTS EARLY
10				BEFORE POLLS ARE CLOSED
	5			
11	168.792A(16)	PUB TRST	E	DISCLOSING ELECTION RESULT OR
12				HOW BALLOT VOTED
	5			
13	168.808	PUB TRST	E	UNTRUE STATEMENT BY MEMBER OF
14				BOARD OF INSPECTORS
	4			
15	168.873	PUB TRST	E	MISCONDUCT OF ELECTION
16				EMPLOYEE IN RECOUNT-COUNTY
17				AND LOCAL
	5			
18	168.887	PUB TRST	E	MISCONDUCT OF ELECTION
19				EMPLOYEE IN RECOUNT
	5			
20	168.932(A)	PUB TRST	E	BRIBING OR INTIMIDATING VOTERS
	5			
21	168.932(B)	PUB TRST	E	BALLOT TAMPERING
	5			
22	168.932(C)	PUB TRST	E	DESTROYING OR FALSIFYING ELEC-
23				TION RETURN OR RECORDS
	5			
24	168.932(D)	PUB TRST	E	DISCLOSING VOTES OR OBSTRUCT-
25				ING VOTER
	5			
26	168.932(E)	PUB TRST	E	ABSENTEE BALLOT TAMPERING
	5			
27	168.932(F)	PUB TRST	E	ELECTION LAW -- POSSESS ABSENT
28				VOTER BALLOT DELIVERED TO
29				ANOTHER PERSON
	5			
30	168.932(G)	PUB TRST	E	SUGGESTING HOW A DISABLED
31				VOTER SHOULD VOTE
	5			
32	168.932(H)	PUB TRST	E	SUGGESTING OR INFLUENCING HOW
33				AN ABSENTEE VOTER SHOULD
34				VOTE
	5			
35	168.932(I)	PUB TRST	E	ORGANIZING A MEETING WHERE

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ABSENTEE VOTER BALLOTS ARE  
TO BE VOTED

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1	168.932A	PUB TRST	G	ELECTION OFFENSES
4				
2	168.933	PUB TRST	E	FALSE SWEARING TO REGISTER OR
3				VOTE
5				
4	168.936	PUB TRST	E	ELECTION LAW -- PERJURY
5				
5	168.937	PUB TRST	E	ELECTION LAW -- FORGERY
5				
6	169.254	PUB TRST	H	CAMPAIGN FINANCE -- CORPORATE
7				CONTRIBUTIONS
3				
8	169.255	PUB TRST	H	CAMPAIGN FINANCE -- CORPORATE
9				SOLICITATION FOR CERTAIN
10				FUNDS
3				
11	169.266	PUB TRST	H	CAMPAIGN FINANCE -- QUALIFIED
12				CAMPAIGN EXPENDITURES
3				
13	SEC. 12. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES			
14	ENUMERATED IN CHAPTERS 200 TO 299 OF THE MICHIGAN COMPILED LAWS:			
15	<b>M.C.L.</b>	<b>CATEGORY</b>	<b>CLASS</b>	<b>DESCRIPTION</b>
	<b>STAT MAX</b>			
16	205.27(1)(A)	PUB TRST	G	FAILURE TO FILE OR FALSE TAX
17				RETURN OR PAYMENT
5				
18	205.27(1)(B)	PUB TRST	G	AIDING & ABETTING TAX EVASION
19				OR FILING FALSE RETURNS
5				
20	205.27(1)(C)	PUB TRST	G	MAKING/PERMITTING FALSE TAX
21				RETURNS OR PAYMENTS
5				
22	205.27(3)	PUB TRST	G	FALSE TAX RETURNS/PERJURY
15				
23	205.28	PUB TRST	G	COMPROMISING/UNAUTHORIZED DIS-
24				CLOSURE OF TAX INFORMATION
5				
25	205.28(1)(E)	PUB TRST	G	STATE EMPLOYEE COMPROMISING
26				TAXES
5				
27	205.28(1)(F)	PUB TRST	G	UNAUTHORIZED DISCLOSURE OF TAX
28				INFORMATION
5				
29	205.428(2)	PUB TRST	G	TOBACCO PRODUCTS TAX ACT
30				VIOLATIONS
5				
31	207.118A	PUB ORD	G	GASOLINE TAX -- EMBEZZLEMENT
32				OVER \$100

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<b>33</b>	207.119	PUB TRST	G	GASOLINE OR MOTOR FUEL TAX
<b>34</b>	4			VIOLATION

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1	207.127C	PUB ORD	G	DIESEL FUEL TAX --
2	10			EMBEZZLEMENT OVER \$100
3	207.754(3)	PUB TRST	G	STATE TREASURER -- MUNICIPAL-
4				ITY TAX -- DIVULGING CONFI-
5	5			DENTIAL INFORMATION
6	257.233A(7)	PUB ORD	G	ODOMETER TAMPERING
	5			
7	257.254	PROPERTY	E	POSSESSING STOLEN VEHICLE
8	10			TITLE
9	257.257(1)	PROPERTY	G	ALTERING OR FORGING VEHICLE
10	5			DOCUMENTS -- FIRST OFFENSE
11	257.257(2)	PROPERTY	G	ALTERING OR FORGING VEHICLE
12	7			DOCUMENTS -- SECOND OFFENSE
13	257.257(3)	PROPERTY	E	ALTERING OR FORGING VEHICLE
14	15			DOCUMENTS -- THIRD OFFENSE
15	257.329(1)	PROPERTY	G	POSSESSION/SALE OF STOLEN OR
16				COUNTERFEIT INSURANCE
17	5			CERTIFICATES
18	257.329(2)	PROPERTY	E	POSSESSION/SALE OF STOLEN OR
19				COUNTERFEIT INSURANCE CER-
20	7			TIFICATES -- SECOND OFFENSE
21	257.329(3)	PROPERTY	E	POSSESSION/SALE OF STOLEN OR
22				COUNTERFEIT INSURANCE CER-
23	15			TIFICATES -- THIRD OFFENSE
24	257.602A(2)	PUB SAF	G	FLEEING AND ELUDING -- FOURTH
25	2			DEGREE
26	257.602A(3)	PUB SAF	E	FLEEING AND ELUDING -- THIRD
27	5			DEGREE
28	257.602A(4)	PERSON	D	FLEEING AND ELUDING -- SECOND
29	10			DEGREE
30	257.602A(5)	PERSON	C	FLEEING AND ELUDING -- FIRST
31	15			DEGREE
32	257.617	PERSON	E	FAILURE TO STOP AT SCENE OF A
33				SERIOUS PERSONAL INJURY
34	5			ACCIDENT
35	257.625(4)	PERSON	C	OUIL -- CAUSING DEATH
	15			

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**36** 257.625(5) PERSON E OUIL -- CAUSING SERIOUS  
**37** 5 IMPAIRMENT OF BODY FUNCTION

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1	257.625(7)(D)	PUB SAF	E	OUIL -- THIRD OFFENSE
5				
2	257.625N(10)	PUB ORD	G	DISPOSING OF VEHICLE TO AVOID FORFEITURE
3				
4				
4	257.744A	PUB SAF	D	FALSE STATEMENT IN CITATION -- PERJURY
5				
15				
6	257.902	PUB SAF	E	MOTOR VEHICLE CODE VIOLATIONS
5				
7	257.903(1)	PROPERTY	E	MOTOR VEHICLE CODE -- FALSE CERTIFICATION -- FIRST OFFENSE
8				
9				
5				
10	257.903(2)	PROPERTY	E	MOTOR VEHICLE CODE -- FALSE CERTIFICATION -- SECOND OFFENSE
11				
12				
7				
13	257.903(3)	PROPERTY	D	MOTOR VEHICLE CODE -- FALSE CERTIFICATION -- THIRD OFFENSE
14				
15				
15				
16	257.1353(2)	PUB TRST	H	MOTOR VEHICLE -- FAIL TO RECORD MATERIAL MATTER -- SECOND OFFENSE
17				
18				
2				
19	257.1354(2)	PUB TRST	H	MOTOR VEHICLE -- GENERAL VIOLATIONS -- SECOND OFFENSE
20				
2				
21	257.1355	PUB TRST	H	MOTOR VEHICLE -- FAIL TO RECORD TRANSACTION/FALSIFY RECORDS
22				
23				
2				
24	259.183	PROPERTY	E	AIRCRAFT -- UNLAWFUL TAKING OR TAMPERING
25				
5				
26	259.185(8)	PUB SAF	G	AIRCRAFT -- OUIL -- THIRD OFFENSE
27				
5				
28	285.82	PUB TRST	H	GRAIN DEALERS ACT VIOLATIONS
5				
29	285.279	PUB TRST	E	FALSELY OBTAINING MONEY -- AGRICULTURAL LAND
30				
10				
31	286.455(2)	PUB SAF	G	AGRICULTURE -- HAZARDOUS SUBSTANCE
32				
5				
33	287.77(1)	PUB SAF	H	AGRICULTURE -- LIVESTOCK CONDEMNATION
34				
4				
35	287.323(1)	PERSON	C	DANGEROUS ANIMAL CAUSING DEATH

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<b>36</b>	287.323(2)	PERSON	G	DANGEROUS	ANIMAL	CAUSING
<b>37</b>	4			SERIOUS	INJURY	

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1	287.679	PUB ORD	H	DEAD ANIMALS	
1					
2	287.744(1)	PUB ORD	G	ANIMAL INDUSTRY ACT VIOLATIONS	
5					
3	287.855	PUB SAF	G	AGRICULTURE -- CONTAMINATING	
4				LIVESTOCK/FALSE	
5				STATEMENT/VIOLATION OF	
6				QUARANTINE	
5					
7	288.223	PUB SAF	G	SALE OR LABELING OF OLEOMARGA-	
8				RINE VIOLATIONS	
3					
9	288.257	PUB SAF	G	MARGARINE VIOLATIONS	
3					
10	288.284	PUB TRST	H	SELLING FALSELY BRANDED CHEESE	
2					
11	290.629(1)	PERSON	G	WEIGHTS & MEASURES -- ASSAULTS	
12				ENFORCEMENT OFFICER	
2					
13	290.631(3)	PUB TRST	G	WEIGHTS & MEASURES	
5					
14	290.650	PERSON	G	MOTOR FUELS --	
15				ASSAULTING/OBSTRUCTING	
16				DIRECTOR OR AUTHORIZED	
17				REPRESENTATIVE	
2					
18	290.650B(3)	PUB TRST	H	MOTOR FUELS VIOLATIONS	
2					
19	SEC. 13. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES				
20	ENUMERATED IN CHAPTERS 300 TO 399 OF THE MICHIGAN COMPILED LAWS:				
21	<b>M.C.L.</b>	<b>CATEGORY CLASS DESCRIPTION</b>			
	<b>STAT MAX</b>				
22	324.1608	PERSON	G	RESISTING AND OBSTRUCTING CON-	
23				SERVATION OFFICER	
2					
24	324.2157(3)	PROPERTY	H	STATE OWNED PROPERTY -- DAM-	
25				AGES OF \$1,000 OR MORE	180
DAYS					
26	324.3115(2)	PUB SAF	H	WASTE DISCHARGE VIOLATIONS --	
27				SECOND OFFENSE	
2					
28	324.5531(4)	PUB SAF	H	KNOWINGLY RELEASING POLLUTANTS	
2					
29	324.5531(5)	PUB SAF	G	KNOWINGLY RELEASING POLLUTANTS	
30				CAUSING DEATH OR SERIOUS	
31				BODILY INJURY	
6					
32	324.5531(6)	PUB SAF	C	KNOWINGLY RELEASING POLLUTANTS	

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**34**

15

-- RESULTING IN DEATH OR  
SERIOUS BODILY INJURY

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31

1	324.8905(2)	PUB SAF	H	INFECTIOUS WASTE/PATHOLOGICAL
2				WASTE/SHARPS -- LITTERING
3				VIOLATION
	2			
4	324.8905(3)	PUB SAF	G	INFECTIOUS WASTE/PATHOLOGICAL
5				WASTE/SHARPS -- LITTERING
6				VIOLATION -- SECOND OFFENSE
	5			
7	324.11151(2)	PUB SAF	H	HAZARDOUS WASTE VIOLATIONS --
8				SECOND OR SUBSEQUENT OFFENSE
	2			
9	324.11151(3)	PUB SAF	H	HAZARDOUS WASTE VIOLATION --
10				DISREGARD FOR HUMAN LIFE
	2			
11	324.11151(3)	PUB SAF	G	HAZARDOUS WASTE VIOLATION --
12				EXTREME INDIFFERENCE FOR
13				HUMAN LIFE
	5			
14	324.12116(2)	PUB SAF	H	WASTE -- FALSE STATEMENT OR
15				ENTRY IN A LICENSE
16				APPLICATION
	2			
17	324.20139(3)	PUB SAF	H	HAZARDOUS WASTE -- KNOWINGLY
18				RELEASES OR CAUSES THE
19				RELEASE
	2			
20	324.21324(1)	PUB SAF	G	UNDERGROUND STORAGE TANKS --
21				FALSE OR MISLEADING
22				INFORMATION
	5			
23	324.21548(1)	PUB TRST	H	FALSE STATEMENT, REPORT,
24				CLAIM, BID, WORK INVOICE, OR
25				OTHER REQUEST FOR PAYMENT
	5			
26	324.30316(3)	PUB SAF	H	NREPA VIOLATION -- SUBSEQUENT
27				OFFENSE
	2			
28	324.31525	PERSON	G	NREPA -- IMMINENT DANGER OF
29				DEATH OR SERIOUS INJURY --
30				SUBSEQUENT OFFENSE
	2			
31	324.33939(1)	PUB TRST	H	NREPA VIOLATION FOR COMMERCIAL
32				PURPOSES
	2			
33	324.40118(11)	PUB ORD	G	WILDLIFE CONSERVATION --
34				BUYING SELLING PROTECTED
35				ANIMALS -- SUBSEQUENT
36				OFFENSE
	4			
37	324.51120(2)	PROPERTY	H	REMOVING FOREST PRODUCTS OVER
38				\$2,500
	3			

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**39** 324.51512                      PUB SAF        D    WILLFULLY SETTING FOREST FIRES  
10

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1 5	324.61511	PUB TRST	G	FALSE AFFIDAVIT UNDER NREPA
2 3	324.61521(1)	PUB TRST	G	EVADING RULE UNDER NREPA
3 4 5	324.76107(4)	PUB TRST	G	RECOVERING ABANDONED PROPERTY IN GREAT LAKES WITHOUT PERMIT
6 7 4	324.80130D(1)	PUB ORD	H	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION
8 9 10 7	324.80130D(2)	PUB ORD	G	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION -- SECOND OFFENSE
11 12 13 15	324.80130D(3)	PUB ORD	C	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION -- THIRD OR SUBSEQUENT OFFENSE
14 15 2	324.80172	PERSON	G	NEGLIGENT CRIPPLING OR HOMI- CIDE BY VESSEL
16 17 2	324.80173	PERSON	G	FELONIOUS OPERATION OF A VESSEL
18 19 15	324.80176(4)	PERSON	C	OPERATING A VESSEL UNDER THE INFLUENCE CAUSING DEATH
20 21 22 5	324.80176(5)	PERSON	E	OPERATING A VESSEL UNDER THE INFLUENCE CAUSING LONG-TERM INCAPACITATING INJURY
23 24 5	324.80177(1)(C)	PUB SAF	E	OPERATING A VESSEL UNDER THE INFLUENCE -- THIRD OFFENSE
25 26 4	324.80319A(1)	PUB ORD	H	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION
27 28 29 7	324.80319A(2)	PUB ORD	G	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION -- SECOND OFFENSE
30 31 32 15	324.80319A(3)	PUB ORD	C	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION -- THIRD OR SUBSEQUENT OFFENSE
33 34 4	324.81120(1)	PUB ORD	H	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION
35 36	324.81120(2)	PUB ORD	G	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION --

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1	324.81120(3)	PUB ORD	C	FALSE REPRESENTATION TO OBTAIN
2				PERSONAL INFORMATION --
3				THIRD OR SUBSEQUENT OFFENSE
	15			
4	324.81134(6)	PUB SAF	E	OPERATING AN ORV UNDER THE
5				INFLUENCE -- THIRD OFFENSE
	4			
6	324.82127(4)	PERSON	C	OPERATING A SNOWMOBILE UNDER
7				THE INFLUENCE CAUSING DEATH
	15			
8	324.82127(5)	PERSON	E	OPERATING A SNOWMOBILE UNDER
9				THE INFLUENCE CAUSING
10				LONG-TERM INCAPACITATING
11				INJURY
	5			
12	324.82128(1)(C)	PUB SAF	E	OPERATING A SNOWMOBILE UNDER
13				THE INFLUENCE -- THIRD
14				OFFENSE
	5			
15	324.82160(1)	PUB ORD	H	FALSE REPRESENTATION TO OBTAIN
16				PERSONAL INFORMATION
	4			
17	324.82160(2)	PUB ORD	G	FALSE REPRESENTATION TO OBTAIN
18				PERSONAL INFORMATION --
19				SECOND OFFENSE
	7			
20	324.82160(3)	PUB ORD	C	FALSE REPRESENTATION TO OBTAIN
21				PERSONAL INFORMATION --
22				THIRD OR SUBSEQUENT OFFENSE
	15			
23	328.232	PROPERTY	E	CONVERSION OF FUNERAL
24				CONTRACTS
	5			
25	333.2685	PERSON	E	USE OF A LIVE HUMAN EMBRYO,
26				FETUS FOR NONTHERAPEUTIC
27				RESEARCH
	5			
28	333.2688	PERSON	E	RESEARCH ON DEAD EMBRYO OR
29				FETUS WITHOUT MOTHER'S
30				CONSENT
	5			
31	333.2689	PERSON	E	ABORTION TO OBTAIN EMBRYO
	5			
32	333.2690	PERSON	E	SALE OR DELIVERY OF FETUS OR
33				EMBRYO
	5			
34	333.2835(9)	PUB TRST	G	DISCLOSING CONFIDENTIAL INFOR-
35				MATION -- ABORTION
	3			
36	333.5210	PERSON	F	AIDS -- SEXUAL PENETRATION
37				WITH UNINFORMED PARTNER
	4			

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**38** 333.5661 PERSON F FRAUD RESULTING IN PATIENT  
**39** 4 DEATH

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1	333.7341(8)	CS	G	DELIVERY OR MANUFACTURE OR
2				IMITATION CONTROLLED
3				SUBSTANCE
	2			
4	333.7401(2)(A)(i)	CS	A	DELIVERY OR MANUFACTURE OF
5	LIFE			>649 GRAMS BY JUVENILE
6	333.7401(2)(A)(iii)	CS	B	DELIVERY OR MANUFACTURE OF
7	20			50-224 GRAMS
8	333.7401(2)(A)(iv)	CS	D	DELIVERY OR MANUFACTURE OF <50
9	20			GRAMS
10	333.7401(2)(B)	CS	E	DELIVERY OR MANUFACTURE SCHED-
11	7			ULE 1/2/3 EXCEPT MARIJUANA
12	333.7401(2)(C)	CS	F	DELIVERY OR MANUFACTURE SCHED-
13	4			ULE 4
14	333.7401(2)(D)(i)	CS	C	DELIVERY OR MANUFACTURE >45
15	15			KILOS OF MARIJUANA
16	333.7401(2)(D)(ii)	CS	D	DELIVERY OR MANUFACTURE 5-45
17	7			KILOS OF MARIJUANA
18	333.7401(2)(D)(iii)	CS	F	DELIVERY OR MANUFACTURE <5
19	4			KILOS OR 20 PLANTS OF
20				MARIJUANA
21	333.7401(2)(E)	CS	G	DELIVERY OR MANUFACTURE SCHED-
22	2			ULE 5
23	333.7401(2)(F)	CS	D	DELIVERY OR MANUFACTURE OFFI-
24				CIAL OR COUNTERFEIT PRE-
25	20			SCRIPTION FORM
26	333.7401(2)(G)	CS	D	DELIVERY OR MANUFACTURE PRE-
27				SCRIPTION OR COUNTERFEIT
28	7			FORM (OTHER THAN OFFICIAL)
29	333.7402(2)(A)	CS	D	DELIVERY OR MANUFACTURE IMITA-
30	10			TION CONTROLLED SUBSTANCE
31	333.7402(2)(B)	CS	E	DELIVERY OR MANUFACTURE IMITA-
32				TION CONTROLLED SUBSTANCE
33	5			SCHEDULE 1/2/3
34	333.7402(2)(C)	CS	F	DELIVERY OR MANUFACTURE IMITA-
35				TION CONTROLLED SUBSTANCE
36	4			SCHEDULE 4

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37 333.7402(2)(D) CS G DELIVERY OR MANUFACTURE  
38 IMITATION CONTROLLED  
39 SUBSTANCE SCHEDULE 5  
2

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<b>1</b>	333.7402(2)(E)	CS	C	DELIVERY OR MANUFACTURE
<b>2</b>	15			ANALOGUE
<b>3</b>	333.7403(2)(A)(i)	CS	A	POSSESSION >649 GRAMS BY
<b>4</b>	LIFE			JUVENILE
<b>5</b>	333.7403(2)(A)(iii)	CS	B	POSSESSION 50-224 GRAMS
	20			
<b>6</b>	333.7403(2)(A)(iv)	CS	G	POSSESSION 25-49 GRAMS
	4			
<b>7</b>	333.7403(2)(A)(v)	CS	G	POSSESSION OF <25 GRAMS
	4			
<b>8</b>	333.7403(2)(B)	CS	G	POSSESSION CERTAIN SCHEDULE
<b>9</b>	2			1/2/3/4 OR ANALOGUE
<b>10</b>	333.7403(2)(E)	CS	H	POSSESSION OF OFFICIAL PRE-
<b>11</b>	1			SCRIPTION FORM
<b>12</b>	333.7405(A)	CS	G	CONTROLLED SUBSTANCE VIOLA-
<b>13</b>	2			TIONS BY LICENSEE
<b>14</b>	333.7405(B)	CS	G	MANUFACTURING OR DISTRIBUTION
<b>15</b>	2			VIOLATIONS BY LICENSEE
<b>16</b>	333.7405(C)	CS	G	REFUSING LAWFUL INSPECTION
	2			
<b>17</b>	333.7405(D)	CS	G	MAINTAINING DRUG HOUSE
	2			
<b>18</b>	333.7407(1)(A)	CS	G	CONTROLLED SUBSTANCE VIOLA-
<b>19</b>	4			TIONS BY LICENSEE
<b>20</b>	333.7407(1)(B)	CS	G	USE OF FICTITIOUS, REVOKED, OR
<b>21</b>	4			SUSPENDED LICENSE NUMBER
<b>22</b>	333.7407(1)(C)	CS	G	OBTAINING CONTROLLED SUBSTANCE
<b>23</b>	4			BY FRAUD
<b>24</b>	333.7407(1)(D)	CS	G	FALSE REPORTS UNDER CONTROLLED
<b>25</b>	4			SUBSTANCE ARTICLE
<b>26</b>	333.7407(1)(E)	CS	G	POSSESSION OF COUNTERFEITING
<b>27</b>	4			IMPLEMENTS
<b>28</b>	333.7407(1)(F)	CS	F	DISCLOSING OR OBTAINING PRE-
<b>29</b>	4			SCRIPTION INFORMATION
<b>30</b>	333.7407(1)(G)	CS	F	POSSESSION OF COUNTERFEIT PRE-

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1	333.7407(2)	CS	G	REFUSING TO FURNISH RECORDS UNDER CONTROLLED SUBSTANCE ARTICLE
2				
3				
4				
4	333.10204(1)	PUB ORD	F	TRANSFERRING A HUMAN ORGAN FOR VALUABLE CONSIDERATION
5				
4				
6	333.13738(2)	PUB SAF	F	WASTE DISPOSAL VIOLATIONS -- SECOND OFFENSE
7				
5				
8	333.13738(3)	PUB SAF	F	DISPOSING OF WASTE -- INDIF- ERENCE TO HUMAN LIFE
9				
2				
10	333.13738(3)	PUB SAF	B	DISPOSING OF WASTE -- EXTREME INDIFFERENCE TO HUMAN LIFE
11				
20				
12	333.16170(3)	PUB TRST	F	FALSE REPRESENTATION -- HEALTH PROFESSIONAL RECOVERY PROGRAM
13				
14				
4				
15	333.16294	PUB SAF	F	HEALTH PROFESSION -- UNAUTHO- RIZED PRACTICE
16				
4				
17	333.17766A(2)(A)	CS	F	POSSESSION OF STEROIDS -- SECOND OFFENSE
18				
4				
19	333.17766A(3)	CS	E	DELIVERY OR MANUFACTURE OF STEROIDS
20				
7				
21	333.17766A(4)	CS	G	DELIVERY OF IMITATION STEROIDS
7				
22	333.17766C(2)	CS	G	POSSESSION >10 GRAMS EPHEDRINE
2				
23	333.20142(5)	PUB TRST	F	FALSE STATEMENT -- APPLICATION LICENSURE HEALTH FACILITY
24				
4				
25	333.21792	PUB TRST	G	NURSING HOMES -- REFERRAL FEES/BRIBING OFFICIALS/ ACCEPTING BRIBES
26				
27				
4				

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1 388.936 PUB TRST F KNOWINGLY MAKING FALSE  
 2 STATEMENT -- SCHOOL DISTRICT  
 3 LOANS  
 4

4 388.962 PUB TRST F KNOWINGLY MAKING FALSE STATE-  
 5 MENT -- SCHOOL DISTRICT  
 6 LOANS  
 4

7 SEC. 14. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES  
 8 ENUMERATED IN CHAPTERS 400 TO 499 OF THE MICHIGAN COMPILED LAWS:

9 **M.C.L. CATEGORY CLASS DESCRIPTION**  
**STAT MAX**

10 400.60(2) PROPERTY H WELFARE -- OBTAINING OVER \$500  
 11 BY FAILURE TO INFORM  
 4

12 400.603 PUB TRST G MEDICAID FRAUD -- FALSE STATE-  
 13 MENT IN BENEFIT/CONCEALING  
 14 INFORMATION  
 4

15 400.604 PUB TRST G MEDICAID FRAUD --  
 16 KICKBACK/REFERRAL FEES  
 4

17 400.605 PUB TRST G MEDICAID FRAUD -- FALSE STATE-  
 18 MENT REGARDING INSTITUTIONS  
 4

19 400.606 PROPERTY E MEDICAID FRAUD -- CONSPIRACY  
 10

20 400.607 PUB TRST G MEDICAID FRAUD -- FALSE  
 21 CLAIM/MEDICALLY UNNECESSARY  
 4

22 400.609 PROPERTY D MEDICAID FRAUD -- FOURTH  
 23 OFFENSE  
 10

24 400.713(13) PUB SAF H ADULT FOSTER CARE -- UNLI-  
 25 CENSED FACILITY -- FIRST  
 26 OFFENSE  
 2

27 400.713(13) PUB SAF F ADULT FOSTER CARE -- UNLI-  
 28 CENSED FACILITY -- SECOND OR  
 29 SUBSEQUENT VIOLATION  
 5

30 400.722(4) PUB SAF F ADULT FOSTER CARE -- MAINTAIN-  
 31 ING OPERATION AFTER REFUSAL  
 32 OF LICENSURE  
 5

33 408.1035(5) PUB SAF G MIOSHA VIOLATION -- SECOND  
 34 OFFENSE  
 3

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38

1	408.1035(5)	PUB SAF	I	MIOSHA VIOLATION -- FIRST
2				OFFENSE
	1			
3	408.1035A(5)	PUB SAF	I	MIOSHA VIOLATIONS/WRITS OF
4				MANDAMUS/ASSAULTS -- FIRST
5				OFFENSE
	1			
6	408.1035A(5)	PUB SAF	G	MIOSHA VIOLATIONS/WRITS OF
7				MANDAMUS/ASSAULTS -- SECOND
8				OFFENSE
	3			
9	409.122(2)	PERSON	E	EMPLOYMENT OF CHILDREN DURING
10				CERTAIN HOURS -- THIRD
11				OFFENSE
	10			
12	409.122(2)	PUB ORD	G	EMPLOYMENT OF CHILDREN DURING
13				CERTAIN HOURS -- SECOND
14				OFFENSE
	2			
15	409.122(3)	PERSON	D	EMPLOYMENT OF CHILDREN IN
16				CHILD SEXUALLY ABUSIVE
17				ACTIVITY
	20			
18	421.54(A)(ii)(B)	PROPERTY	H	UNEMPLOYMENT COMP FRAUD --
19				FAILURE TO COMPLY WITH
20				ACT/RULE \$25,000-100,000
	2			
21	421.54(A)(ii)(C)	PROPERTY	G	UNEMPLOYMENT COMP FRAUD --
22				FAILURE TO COMPLY WITH
23				ACT/RULE OVER \$100,000
	5			
24	421.54(A)(iv)(B)	PROPERTY	H	UNEMPLOYMENT COMP FRAUD --
25				WILLFUL VIOLATION OF
26				ACT/RULE OVER \$100,000
	2			
27	421.54(B)(ii)(B)	PROPERTY	H	UNEMPLOYMENT COMP FRAUD --
28				FALSE STATEMENT OR MISREPRE-
29				SENT OVER \$25,000
	2			
30	421.54(B)(ii)(C)	PROPERTY	H	UNEMPLOYMENT COMP FRAUD --
31				FALSE STATEMENT OR MISREPRE-
32				SENTATION WITHOUT ACTUAL
33				LOSS
	2			
34	421.54(D)	PROPERTY	H	UNEMPLOYMENT COMP FRAUD --
35				DISCLOSE CONFIDENTIAL INFO
36				FOR FINANCIAL GAIN
	1			
37	421.54A	PROPERTY	G	UNEMPLOYMENT COMP FRAUD --
38				FALSE STATEMENT AS CONDITION
39				OF EMPLOYMENT
	10			

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1	421.54B(B)(i)	PROPERTY	H	UNEMPLOYMENT COMP FRAUD --
2				CONSPIRACY WITH LOSS OF
3				\$25,000 OR LESS
	2			
4	421.54B(B)(ii)	PROPERTY	G	UNEMPLOYMENT COMP FRAUD --
5				CONSPIRACY WITH LOSS OVER
6				\$25,000
	5			
7	421.54B(B)(iii)	PROPERTY	H	UNEMPLOYMENT COMP FRAUD --
8				CONSPIRACY WITH NO ACTUAL
9				LOSS
	2			
10	421.54C(B)(ii)	PROPERTY	H	UNEMPLOYMENT COMP FRAUD --
11				EMBEZZLEMENT OF \$25,000 TO
12				UNDER \$100,000
	2			
13	421.54C(B)(iii)	PROPERTY	G	UNEMPLOYMENT COMP FRAUD --
14				EMBEZZLEMENT OF \$100,000 OR
15				MORE
	5			
16	421.54C(B)(iv)	PROPERTY	H	UNEMPLOYMENT COMP FRAUD --
17				EMBEZZLEMENT WITH NO ACTUAL
18				LOSS
	2			
19	426.106	PROPERTY	E	MARKING OF LOGS AND TIMBER --
20				FORGING
	5			
21	431.257	PUB TRST	G	RACING, BOXING & EXHIBITION
22				RACING
	2			
23	431.307(8)	PUB TRST	G	HORSE RACING -- TESTIFYING
24				FALSELY TO COMMISSIONER
25				WHILE UNDER OATH
	4			
26	431.330(4)	PUB TRST	G	HORSE RACING -- ADMINISTERING
27				A DRUG THAT COULD AFFECT
28				RACING CONDITION
	5			
29	431.332	PUB TRST	G	HORSE RACING -- INFLUENCING OR
30				ATTEMPTING TO INFLUENCE
31				RESULT OF RACE
	5			
32	432.30	PROPERTY	G	LOTTERY -- FORGERY OF TICKETS
	5			
33	432.218	PUB ORD	D	CASINO GAMING OFFENSES
	10			
34	436.1701(2)	PERSON	D	SELLING ALCOHOL TO A MINOR AND
35				CAUSING DEATH
	10			
36	436.1909(3)	PUB ORD	H	LIQUOR VIOLATION
	1			



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1	438.41	PROPERTY	E	CRIMINAL USURY
5				
2	440.9307(4)	PROPERTY	G	FARMING -- ILLEGAL SALE OF
3				SECURED PRODUCTS
3				
4	442.219	PUB TRST	E	SALES -- FALSE STATEMENT
5				
5	443.50	PUB TRST	E	ISSUING WAREHOUSE RECEIPT FOR
6				GOODS NOT RECEIVED
5				
7	443.52	PUB TRST	E	ISSUING DUPLICATE WAREHOUSE
8				RECEIPT NOT SO MARKED
5				
9	444.13	PUB TRST	H	WAREHOUSEMEN AND WAREHOUSE
10				RECEIPTS
2				
11	444.107	PUB TRST	E	WAREHOUSE CERTIFICATES --
12				WILLFULLY ALTER OR DESTROY
5				
13	445.487(2)	PUB ORD	H	PRECIOUS METAL AND GEM DEALER
14				FAILURE TO RECORD MATERIAL
15				MATTER -- SECOND OFFENSE
2				
16	445.488(2)	PUB ORD	H	PRECIOUS METAL AND GEM DEALER
17				VIOLATIONS -- SECOND OFFENSE
2				
18	445.489	PUB ORD	H	PRECIOUS METAL AND GEM DEALER
19				VIOLATIONS
2				
20	445.490	PUB ORD	H	PRECIOUS METAL AND GEM DEALER
21				FAILURE TO OBTAIN A CERTIFI-
22				CATE OF REGISTRATION
2				
23	445.779	PUB ORD	H	ANTITRUST VIOLATION
2				
24	445.1505	PUB TRST	G	FRANCHISE INVESTMENT LAW --
25				FRAUDULENT FILING/OFFERS
7				
26	445.1508	PUB TRST	G	FRANCHISE INVESTMENT LAW --
27				SALE WITHOUT PROPER
28				DISCLOSURE
7				
29	445.1513	PUB TRST	G	FRANCHISE INVESTMENT LAW --
30				ILLEGAL OFFERS/SALES
7				
31	445.1520	PUB TRST	G	FRANCHISE INVESTMENT LAW --
32				KEEPING RECORDS
7				
33	445.1521	PUB TRST	G	FRANCHISE INVESTMENT LAW --
34				FALSE REPRESENTATION
7				

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35 445.1523  
36  
37

PUB TRST G

FRANCHISE INVESTMENT LAW --  
FALSE STATEMENTS OF MATERIAL  
FACT

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1	445.1525	PUB TRST	G	FRANCHISE INVESTMENT LAW --
2	7			FALSE ADVERTISING
3	445.1528	PUB TRST	D	PYRAMID/CHAIN PROMOTIONS --
4	7			OFFER OR SELL
5	445.1671	PUB TRST	E	MORTGAGE BROKERS, LENDERS --
6				KNOWINGLY GIVING A FALSE
7	15			STATEMENT
8	445.1679	PUB TRST	H	MORTGAGE BROKERS ACT -- GEN-
9	3			ERAL VIOLATIONS
10	450.775	PUB ORD	H	CORPORATIONS -- MINORITY AND
11	2			WOMAN OWNED BUSINESSES
12	450.795	PUB ORD	H	CORPORATIONS -- HANDICAPPER
13	2			BUSINESS OPPORTUNITY ACT
14	451.319	PUB TRST	G	SECURITIES, REAL ESTATE, AND
15	2			DEBT MANAGEMENT -- VIOLATION
16	451.434	PUB TRST	H	DEBT MANAGEMENT ACT --
17	2			LICENSEE VIOLATIONS
18	451.501	PUB TRST	E	BLUE SKY LAWS -- FRAUDULENT
19	10			SCHEMES/STATEMENTS
20	451.502	PUB TRST	E	BLUE SKY LAWS -- INVESTMENT
21	10			ADVISOR/AGENT FRAUD
22	451.503	PUB TRST	E	BLUE SKY LAWS -- MAKE/SELL
23	10			FALSE BULLION/CERTIFICATES
24	451.601	PUB TRST	E	BLUE SKY LAWS -- UNREGISTERED
25	10			BROKER/DEALER/AGENT/ADVISOR
26	451.603(H)	PUB TRST	E	BLUE SKY LAWS -- FAIL TO
27				NOTIFY ADMINISTRATOR OF
28	10			SANCTIONS
29	451.604(A)(1)(J) TO			
30	(S) AND (V) TO (Z)	PUB TRST	E	BLUE SKY LAWS -- VARIOUS
31	10			VIOLATIONS
32	451.701	PUB TRST	E	BLUE SKY LAWS -- OFFER/SELL
33	10			UNREGISTERED SECURITIES
34	451.802	PUB TRST	E	BLUE SKY LAWS -- UNLAWFULLY
35	10			SELLING SECURITIES



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1	451.805(B)	PUB TRST	E	BLUE SKY LAWS -- FALSE
2				REPRESENTATION OF ADMINIS-
3				TRATIVE APPROVAL
	10			
4	451.806(B)	PUB TRST	E	BLUE SKY LAWS -- IMPROPER DIS-
5				CLOSE BY COR. & SEC. BUR.
6				EMPLOYEE
	10			
7	462.257(1)	PERSON	A	TRAINS -- ENDANGERING TRAVEL
	LIFE			
8	462.353(5)	PUB SAF	F	OPERATING A LOCOMOTIVE --
9				UNDER THE INFLUENCE
	4			
10	472.36	PUB SAF	A	STREET RAILWAYS -- OBSTRUCTION
11				OF TRACK
	LIFE			
12	482.44	PROPERTY	H	BILLS OF LADING -- ISSUANCE
13				FOR GOODS NOT RECEIVED
	5			
14	482.46	PROPERTY	H	BILLS OF LADING -- ISSUANCE OF
15				DUPLICATE NOT SO MARKED
	5			
16	482.48	PROPERTY	H	BILLS OF LADING -- NEGOTIATION
17				WHEN GOODS NOT IN CARRIERS'
18				POSSESSION
	5			
19	482.49	PROPERTY	H	BILLS OF LADING -- INDUCING
20				CARRIER TO ISSUE WHEN GOODS
21				HAVE NOT BEEN RECEIVED
	5			
22	482.50	PROPERTY	H	BILLS OF LADING -- ISSUANCE OF
23				NON-NEGOTIABLE BILL NOT SO
24				MARKED
	5			
25	483.226	PUB TRST	E	OFFICER OF A PIPELINE COMPANY
26				-- INTENT TO DEFRAUD --
27				STOCK
	10			
28	487.1505(6)	PUB TRST	E	BIDCO ACT -- KNOWINGLY RECEIV-
29				ING MONEY OR PROPERTY AT AN
30				INTEREST RATE >25%
	5			
31	492.137(A)	PUB TRST	H	INSTALLMENT SALES OF MOTOR
32				VEHICLES
	3			
33	493.56A(13)	PUB TRST	C	FALSE STATEMENT IN REPORTS --
34				SECONDARY MORTGAGE
	15			
35	493.77(2)	PUB TRST	H	REGULATORY LOANS
	3			
36	SEC. 15.	THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES		

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**37** ENUMERATED IN CHAPTERS 500 TO 749 OF THE MICHIGAN COMPILED LAWS:

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<b>1</b>	<b>M.C.L.</b>	<b>STAT</b>	<b>MAX</b>	<b>CATEGORY</b>	<b>CLASS</b>	<b>DESCRIPTION</b>
<b>2</b>	500.1325(3)			PUB TRST	E	INSURANCE CODE -- KNOWINGLY
<b>3</b>						MISREPRESENTING FALSE FINAN-
<b>4</b>						CIAL CONDITION
			5			
<b>5</b>	500.1371			PUB TRST	H	HOLDING COMPANIES -- VIOLATION
			2			
<b>6</b>	500.1505(2)			PUB TRST	C	INSURANCE CODE -- LICENSE AND
<b>7</b>						REGULATORY VIOLATIONS
			15			
<b>8</b>	500.4511(1)			PUB TRST	F	INSURANCE CODE -- FRAUDULENT
<b>9</b>						INSURANCE ACT
			4			
<b>10</b>	500.4511(2)			PUB TRST	D	INSURANCE FRAUD -- AGREEMENT
<b>11</b>						OR CONSPIRACY TO COMMIT
			10			
<b>12</b>	500.5252(4)			PROPERTY	G	INSURANCE -- IMPROPER PERSONAL
<b>13</b>						INTEREST IN TRANSACTIONS
			5			
<b>14</b>	500.7034(2)			PUB TRST	E	OFFICER OF A MEWA KNOWINGLY
<b>15</b>						RECEIVE VALUABLES FOR SALE
<b>16</b>						PROPERTY OR LOAN
			10			
<b>17</b>	500.8197(2)			PUB TRST	C	INSURANCE -- KNOWING OR WILL-
<b>18</b>						FUL FALSE STATEMENTS IN
<b>19</b>						APPLICATION FOR INSURANCE
			15			
<b>20</b>	500.8197(3)			PROPERTY	E	CONSOLIDATION MERGER -- COM-
<b>21</b>						PENSATION OTHERWISE THAN
<b>22</b>						EXPRESSED IN CONTRACT
			5			
<b>23</b>	551.6			PERSON	H	MARRIAGE LICENSE -- MENTAL OR
<b>24</b>						VENEREAL DISEASE
			5			
<b>25</b>	554.836			PROPERTY	E	REAL AND PROPERTY -- LIVING
<b>26</b>						CARE DISCLOSURE ACT
			7			
<b>27</b>	565.371			PROPERTY	G	FRAUDULENT CONVEYANCES --
<b>28</b>						RECORDING WITH INTENT TO
<b>29</b>						DECEIVE
			3			
<b>30</b>	565.827			PUB TRST	E	LAND SALES ACT -- FALSE OR
<b>31</b>						FRAUDULENT STATEMENT
			10			
<b>32</b>	570.152			PROPERTY	G	CONTRACTOR -- FRAUDULENT USE
<b>33</b>						OF BUILDING CONTRACT FUND
			3			
<b>34</b>	570.1110			PROPERTY	F	CONTRACTOR -- FALSE SWORN
<b>35</b>						STATEMENTS OVER \$100
			4			



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1	600.908(8)	PUB TRST	E	IMMUNITY TO WITNESS --
2	15			COMMITTING PERJURY
3	600.2136	PUB TRST	E	LIBRARY RECORD, BOOK, PAPER --
4	15			FALSE CERTIFICATION IN COURT
5	600.2907A	PROPERTY	G	RECORDING DOCUMENTS AFFECTING
6				PROPERTY WITHOUT LAWFUL
7	3			CAUSE
8	600.2916	PUB SAF	G	REVISED JUDICATURE ACT --
9	4			LETHAL GASES FOR FUMIGATION
10	600.8713	PUB TRST	G	REVISED JUDICATURE ACT --
11				FALSE STATEMENT BY AUTHO-
12	15			RIZED LOCAL OFFICIALS
13	600.8813	PUB TRST	E	LAW ENFORCEMENT OFFICER --
14				KNOWINGLY MAKING FALSE
15	15			STATEMENT IN A CITATION
16	710.54(11)	PUB TRST	F	OFFER TO GIVE OTHER CONSIDERA-
17				TION -- ADOPTION -- SUBSE-
18	4			QUENT VIOLATION
19	710.55(1)	PUB TRST	F	ADOPTION -- PERSONS NOT AUTHO-
20				RIZED PLACING CHILD -- SUB-
21	4			SEQUENT VIOLATION
22	710.69	PERSON	F	MICHIGAN ADOPTION LAW --
23	4			SECOND OFFENSE
24	711.1(8)	PUB TRST	E	INTENTIONAL FALSE STATEMENT IN
25	15			PETITION FOR NAME CHANGE
26	722.633(5)(B)	PERSON	F	INTENTIONAL FALSE REPORT OF
27				CHILD ABUSE CONSTITUTING A
28	4			FELONY
29	722.675	PUB ORD	E	DISTRIBUTING OBSCENE MATTER TO
30	2			CHILDREN
31	722.857	PERSON	E	SURROGATE PARENTING ACT --
32				CONTRACTS INVOLVING MINORS,
33	5			MENTALLY RETARDED, ETC.
34	722.859(3)	PERSON	E	SURROGATE PARENTING ACT --
35	5			CONTRACTS FOR COMPENSATION

36 SEC. 16. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES  
37 ENUMERATED IN CHAPTER 750 OF THE MICHIGAN COMPILED LAWS:

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<b>1</b>	<b>M.C.L. STAT MAX</b>	<b>CATEGORY</b>	<b>CLASS</b>	<b>DESCRIPTION</b>
<b>2</b> <b>3</b>	750.11 LIFE	PERSON	A	TAKING A WOMAN AND COMPELLING HER TO MARRY
<b>4</b> <b>5</b>	750.12 10	PERSON	H	TAKING A WOMAN WITH INTENT TO COMPEL HER TO MARRY
<b>6</b> <b>7</b>	750.13 10	PERSON	D	ENTICING FEMALE UNDER 16 FOR IMMORAL PURPOSES
<b>8</b> <b>9</b>	750.14 15	PERSON	C	ABORTION RESULTING IN DEATH OF FEMALE
<b>10</b>	750.14 4	PERSON	G	ABORTION
<b>11</b>	750.30 4	PUB ORD	H	ADULTERY
<b>12</b> <b>13</b>	750.32 4	PUB ORD	H	COHABITATION OF DIVORCED PARTIES
<b>14</b> <b>15</b>	750.49(2)(A) TO (D) 4	PUB ORD	F	FIGHTING ANIMALS OR PROVIDING FACILITIES FOR ANIMAL FIGHTS
<b>16</b> <b>17</b>	750.49(2)(E) 4	PUB ORD	F	ORGANIZING OR PROMOTING ANIMAL FIGHTS
<b>18</b>	750.49(2)(F) 4	PUB ORD	H	ATTENDING ANIMAL FIGHT
<b>19</b> <b>20</b>	750.49(2)(G) 4	PUB ORD	F	BREEDING OR SELLING FIGHTING ANIMALS
<b>21</b> <b>22</b>	750.49(2)(H) 4	PUB ORD	F	SELLING OR POSSESSING EQUIP- MENT FOR ANIMAL FIGHTS
<b>23</b> <b>24</b>	750.49(8) LIFE	PERSON	A	INCITING FIGHTING ANIMAL RESULTING IN DEATH
<b>25</b> <b>26</b>	750.49(9) 4	PERSON	F	INCITING FIGHTING ANIMAL TO ATTACK
<b>27</b> <b>28</b> <b>29</b>	750.49(10) 15	PERSON	D	FIGHTING ANIMAL ATTACKING WITHOUT PROVOCATION AND DEATH RESULTING
<b>30</b> <b>31</b>	750.50(4) 2	PUB ORD	G	ANIMAL NEGLECT OR CRUELTY -- SECOND OFFENSE
<b>32</b>	750.50(4)	PUB ORD	F	ANIMAL NEGLECT OR CRUELTY --

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THIRD OR SUBSEQUENT OFFENSE

**34** 750.50B(2)

4

PROPERTY

F

KILLING OR TORTURING ANIMALS

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1	750.50C(5)	PUB ORD	E	KILLING OR CAUSING SERIOUS
2				PHYSICAL HARM TO LAW
3				ENFORCEMENT ANIMAL
	5			
4	750.50C(7)	PUB SAF	H	HARASSING OR CAUSING HARM TO
5				LAW ENFORCEMENT ANIMAL WHILE
6				COMMITTING CRIME
	2			
7	750.68	PROPERTY	G	CHANGING BRANDS WITH INTENT TO
8				STEAL
	4			
9	750.72	PERSON	B	ARSON OF A DWELLING HOUSE
	20			
10	750.73	PROPERTY	D	ARSON OF REAL PROPERTY
	10			
11	750.74	PERSON	F	ARSON OF PERSONAL PROPERTY
12				GREATER THAN \$50
	4			
13	750.75	PROPERTY	D	ARSON OF INSURED PROPERTY
	10			
14	750.77	PERSON	F	PREPARING TO BURN PERSONAL
15				PROPERTY GREATER THAN \$50
	4			
16	750.78	PUB SAF	F	ARSON OF WOODS AND PRAIRIES
	4			
17	750.79	PUB SAF	F	VIOLATING TOWNSHIP RULES CON-
18				CERNING CLEARING OF LAND AND
19				BURNING
	4			
20	750.80	PROPERTY	D	ARSON OF MINES
	LIFE			
21	750.81(4)	PERSON	G	DOMESTIC ASSAULT -- THIRD
22				OFFENSE
	2			
23	750.81A(3)	PERSON	G	AGGRAVATED DOMESTIC ASSAULT --
24				SECOND OFFENSE
	2			
25	750.82(1)	PERSON	F	FELONIOUS ASSAULT
	4			
26	750.82(2)	PERSON	F	FELONIOUS ASSAULT --
27				WEAPON-FREE SCHOOL ZONE
	4			
28	750.83	PERSON	A	ASSAULT WITH INTENT TO MURDER
	LIFE			
29	750.84	PERSON	D	ASSAULT WITH INTENT TO DO
30				GREAT BODILY HARM LESS THAN
31				MURDER
	10			
32	750.86	PERSON	D	ASSAULT WITH INTENT TO MAIM
	10			

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<b>33</b>	750.87	PERSON	D	ASSAULT WITH INTENT TO COMMIT
<b>34</b>	10			A FELONY

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1	750.88	PERSON	C	ASSAULT WITH INTENT TO COMMIT UNARMED ROBBERY
2	15			
3	750.89	PERSON	A	ASSAULT WITH INTENT TO COMMIT ARMED ROBBERY
4	LIFE			
5	750.90	PERSON	D	SEXUAL INTERCOURSE UNDER PRE-TEXT OF MEDICAL TREATMENT
6	10			
7	750.91	PERSON	A	ATTEMPTED MURDER
	LIFE			
8	750.93	PROPERTY	G	REMOVING OR DESTROYING BONDS IN STATE TREASURY
9	10			
10	750.94	PROPERTY	G	ISSUING BANK NOTES WITHOUT COMPLYING WITH REQUIREMENTS
11	10			
12	750.95	PROPERTY	G	FRAUDULENT BANK NOTES
	10			
13	750.96	PROPERTY	G	FRAUDULENT DISPOSAL OF BANK PROPERTY
14	4			
15	750.97	PROPERTY	H	STATEMENTS DEROGATORY TO FINANCIAL CONDITION OF BANK
16	4			
17	750.98	PUB ORD	G	PRIVATE BANKING
	4			
18	750.99	PUB TRST	G	CERTIFYING CHECKS WITHOUT SUFFICIENT FUNDS
19	4			
20	750.100	PUB TRST	E	BANKS -- CONDUCTING BUSINESS WHEN INSOLVENT
21	5			
22	750.101	PUB TRST	E	VIOLATING FINANCIAL INSTITUTIONS ACT
23	5			
24	750.104	PROPERTY	F	FITTING BOAT WITH INTENT TO DESTROY
25	4			
26	750.105	PROPERTY	G	MAKING FALSE CARGO INVOICE FOR BOAT
27	4			
28	750.106	PROPERTY	G	BOATS -- MAKING OR PROCURING FALSE PROTEST
29	4			
30	750.110	PROPERTY	D	BREAKING AND ENTERING WITH INTENT TO COMMIT FELONY OR LARCENY
31				
32	10			
33	750.110A(4)	PERSON	B	HOME INVASION -- FIRST DEGREE

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**34** 750.110A(5) PERSON C HOME INVASION -- SECOND DEGREE  
15

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1	750.111	PROPERTY	E	ENTERING WITHOUT BREAKING WITH INTENT TO COMMIT FELONY OR LARCENY	
2					
3	5				
4	750.112 LIFE	PERSON	A	BURGLARY WITH EXPLOSIVES	
5	750.116 10	PROPERTY	E	POSSESSION OF BURGLAR'S TOOLS	
6	750.117 4	PUB TRST	F	BRIBING PUBLIC OFFICER	
7	750.118 10	PUB TRST	D	PUBLIC OFFICER ACCEPTING BRIBE	
8	750.119 4	PUB TRST	F	BRIBING JURORS AND OTHERS	
9	750.120	PUB TRST	F	JURORS AND OTHERS ACCEPTING BRIBES	
10	4				
11	750.121	PUB TRST	F	BRIBING PUBLIC OFFICERS TO INFLUENCE CONTRACT	
12	4				
13	750.124 4	PUB TRST	G	BRIBING ATHLETES	
14	750.128 2	PUB ORD	H	BUCKET SHOPS	
15	750.131(3)(A)(iv)	PROPERTY	H	NSF CHECKS -- \$50 OR LESS --	13
16	MOS.			FOURTH OFFENSE	
17	750.131(3)(B)(ii)	PROPERTY	H	NSF -- CHECKS \$50 TO 200 --	13
18	MOS.			THIRD OFFENSE	
19	750.131(3)(C)	PROPERTY	H	NSF CHECKS -- OVER \$200	13
	MOS.				
20	750.131A(1) 2	PROPERTY	H	NO ACCOUNT CHECKS	
21	750.131A(2)	PROPERTY	H	NO ACCOUNT CHECKS -- THREE	
22	2			WITHIN 10 DAYS	
23	750.135	PERSON	D	EXPOSING CHILDREN WITH INTENT	
24	10			TO INJURE OR ABANDON	
25	750.136B(F)(2) 15	PERSON	C	CHILD ABUSE -- FIRST DEGREE	
26	750.136B(F)(3) 4	PERSON	F	CHILD ABUSE -- SECOND DEGREE	
27	750.136B(F)(4) 2	PERSON	G	CHILD ABUSE -- THIRD DEGREE	
28	750.145B	PERSON	F	ACCOSTING CHILDREN FOR IMMORAL	
29				PURPOSES -- SECOND OFFENSE	

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<b>30</b>	750.145C(2)	PERSON	B	CHILD SEXUALLY ABUSIVE ACTIV-
<b>31</b>				ITY OR MATERIALS -- ACTIVE
<b>32</b>	20			INVOLVEMENT

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1	750.145C(3)	PERSON	D	CHILD SEXUALLY ABUSIVE
2				ACTIVITY OR MATERIALS --
3				DISTRIBUTING, PROMOTING, OR
4				FINANCING
	7			
5	750.145N(1)	PERSON	C	VULNERABLE ADULT ABUSE --
6				FIRST DEGREE
	15			
7	750.145N(2)	PERSON	F	VULNERABLE ADULT ABUSE --
8				SECOND DEGREE
	4			
9	750.145N(3)	PERSON	G	VULNERABLE ADULT ABUSE --
10				THIRD DEGREE
	2			
11	750.145O	PERSON	E	DEATH OF VULNERABLE ADULT
12				CAUSED BY UNLICENSED
13				CARETAKER
	5			
14	750.145P(1)	PERSON	G	VULNERABLE ADULTS -- COMMINGL-
15				ING FUNDS, OBSTRUCTING
16				INVESTIGATION, OR FILING
17				FALSE INFORMATION
	2			
18	750.145P(2)	PERSON	G	RETALIATION OR DISCRIMINATION
19				BY CAREGIVER AGAINST VULNER-
20				ABLE ADULT
	2			
21	750.145P(5)	PERSON	E	VULNERABLE ADULTS -- CAREGIVER
22				VIOLATIONS -- SECOND OFFENSE
	5			
23	750.147B	PERSON	G	ETHNIC INTIMIDATION
	2			
24	750.149	PUB SAF	F	CONCEALING AN OFFENSE PUNISH-
25				ABLE BY LIFE
	4			
26	750.157A(B)	PUB ORD	H	CONSPIRACY -- GAMBLING
	5			
27	750.157A(D)	PUB ORD	G	CONSPIRACY TO COMMIT LEGAL ACT
28				IN ILLEGAL MANNER
	5			
29	750.157B(2)	PERSON	A	SOLICITATION OF MURDER
	LIFE			
30	750.157B(3)(A)	PUB ORD	E	SOLICITATION OF FELONY PUNISH-
31				ABLE BY LIFE OR 5 OR MORE
32				YEARS
	5			
33	750.157B(3)(B)	PUB ORD	G	SOLICITATION OF FELONY PUNISH-
34				ABLE BY LESS THAN 5 YEARS
	2			
35	750.157N(1)	PROPERTY	H	FINANCIAL TRANSACTION DEVICE
36				-- STEALING, RETAINING, OR
37				USING WITHOUT CONSENT

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1	750.157N(2)	PROPERTY	H	POSSESSING FRAUDULENT OR
2				ALTERED FINANCIAL
3				TRANSACTION DEVICE
	4			
4	750.157P	PROPERTY	H	POSSESSING FINANCIAL TRANSAC-
5				TION DEVICE WITHOUT PERMIS-
6				SION AND WITH INTENT TO USE
7				OR SELL
	4			
8	750.157Q	PROPERTY	H	DELIVERY OR SALE OF FRAUDULENT
9				FINANCIAL TRANSACTION DEVICE
	4			
10	750.157R	PROPERTY	H	FINANCIAL TRANSACTION DEVICE
11				-- FORGERY, ALTERATION, OR
12				COUNTERFEITING
	4			
13	750.157S	PROPERTY	H	USE OF REVOKED OR CANCELED
14				FINANCIAL TRANSACTION DEVICE
15				OVER \$100
	1			
16	750.157T	PROPERTY	H	FURNISHING GOODS OR SERVICES
17				TO PERSON COMMITTING VIOLA-
18				TION WITH FINANCIAL TRANSAC-
19				TION DEVICE
	4			
20	750.157U	PROPERTY	H	OVERCHARGING PERSON USING
21				FINANCIAL TRANSACTION DEVICE
	4			
22	750.157V	PROPERTY	H	FALSE STATEMENT OF IDENTITY TO
23				OBTAIN FINANCIAL TRANSACTION
24				DEVICE
	4			
25	750.157W	PROPERTY	H	FRAUDULENTLY WITHDRAWING OR
26				TRANSFERRING MORE THAN \$500
27				WITH FINANCIAL TRANSACTION
28				DEVICE
	4			
29	750.158	PUB ORD	E	SODOMY
	15			
30	750.159J	PUB SAF	B	RACKETEERING
	20			
31	750.160	PUB ORD	D	DISINTERRING OR MUTILATING
32				DEAD HUMAN BODIES
	10			
33	750.160A	PUB ORD	H	PHOTOGRAPHING DEAD HUMAN
34				BODIES
	2			
35	750.161	PUB ORD	G	DESERTION/ABANDONMENT/NON-
36				SUPPORT
	3			
37	750.164	PUB ORD	F	DESERTION TO ESCAPE
38				PROSECUTION

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<b>1</b>	750.165	PUB ORD	F	FAILING TO PAY SUPPORT AND
<b>2</b>	4			LEAVING STATE
<b>3</b>	750.171	PERSON	E	DUELLING
	10			
<b>4</b>	750.174	PROPERTY	D	EMBEZZLEMENT BY AGENT OVER
<b>5</b>	10			\$100
<b>6</b>	750.175	PUB TRST	D	EMBEZZLEMENT BY PUBLIC OFFI-
<b>7</b>	10			CIAL OVER \$50
<b>8</b>	750.176	PUB TRST	E	EMBEZZLEMENT BY ADMIN-
<b>9</b>	10			ISTRATOR/EXECUTOR/GUARDIAN
<b>10</b>	750.177	PROPERTY	H	EMBEZZLEMENT BY CHATTEL MORT-
<b>11</b>	2			GAGOR OVER \$100
<b>12</b>	750.178	PROPERTY	G	EMBEZZLEMENT OF MORTGAGED OR
<b>13</b>	2			LEASED PROPERTY -- OVER \$100
<b>14</b>	750.179	PROPERTY	G	EMBEZZLEMENT OF RAILROAD
<b>15</b>	4			TICKETS
<b>16</b>	750.180	PROPERTY	D	EMBEZZLEMENT BY FINANCIAL
<b>17</b>	20			INSTITUTIONS
<b>18</b>	750.181	PROPERTY	E	EMBEZZLEMENT OF JOINTLY HELD
<b>19</b>	10			PROPERTY OVER \$100
<b>20</b>	750.182	PROPERTY	G	EMBEZZLEMENT BY WAREHOUSES
	4			
<b>21</b>	750.182A	PUB TRST	H	FALSIFYING SCHOOL RECORDS
	2			
<b>22</b>	750.183	PUB SAF	E	AIDING ESCAPING PRISONER
	7			
<b>23</b>	750.186A(1)	PUB SAF	F	ESCAPE FROM A JUVENILE
<b>24</b>	4			FACILITY
<b>25</b>	750.189	PUB SAF	H	OFFICER NEGLIGENTLY ALLOWING
<b>26</b>				PRISONER TO ESCAPE OR REFUS-
<b>27</b>	2			ING TO RECEIVE PRISONER
<b>28</b>	750.190	PUB SAF	G	OFFICER RECEIVING REWARD TO
<b>29</b>	2			ASSIST OR PERMIT ESCAPE
<b>30</b>	750.193	PUB SAF	E	ESCAPE FROM PRISON
	5			
<b>31</b>	750.195(1)	PUB SAF	H	ESCAPE FROM A MISDEMEANOR JAIL
<b>32</b>	2			SENTENCE



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1	750.197(1)	PUB SAF	H	ESCAPE WHILE AWAITING TRIAL
2	2			FOR MISDEMEANOR
3	750.197(2)	PUB SAF	F	ESCAPE WHILE AWAITING TRIAL
4	4			FOR FELONY
5	750.197C	PUB SAF	F	ESCAPE FROM JAIL THROUGH
6	4			VIOLENCE
7	750.199A	PUB ORD	F	ABSCONDING ON OR FORFEITING
8	4			BOND
9	750.200	PUB SAF	F	EXPLOSIVES -- TRANSPORT BY
10	4			COMMON CARRIERS
11	750.201	PUB SAF	F	TRANSPORTATION OF CONCUSSION
12	4			OR FRICTION TYPE EXPLOSIVES
13	750.202	PUB SAF	F	SHIPPING EXPLOSIVES WITH FALSE
14	4			MARKINGS OR INVOICE
15	750.204	PUB SAF	E	SENDING EXPLOSIVES WITH INTENT
16	5			TO INJURE PERSONS
17	750.204A	PUB SAF	F	SENDING OR TRANSPORTING IMITA-
18				TION EXPLOSIVE DEVICE WITH
19	4			MALICIOUS INTENT
20	750.205	PUB SAF	C	PLACING EXPLOSIVES WITH THE
21	15			INTENT TO DESTROY PROPERTY
22	750.205A	PUB SAF	F	INTIMIDATION OR HARASSMENT BY
23				DEVICE REPRESENTED AS AN
24	4			EXPLOSIVE
25	750.206	PERSON	B	PLACING EXPLOSIVES WITH DAMAGE
26	25			TO PROPERTY RESULTING
27	750.208	PUB SAF	C	AIDING OR ABETTING EXPLOSIVES
28				PLACEMENT WITH INTENT TO
29	15			DESTROY PROPERTY
30	750.209	PUB SAF	C	PLACING FOUL OR OFFENSIVE SUB-
31	15			STANCE TO INJURE
32	750.209	PUB SAF	F	PLACING FOUL OR OFFENSIVE SUB-
33	4			STANCE TO ALARM
34	750.210	PUB SAF	E	POSSESSION OF BOMBS WITH
35	5			UNLAWFUL INTENT

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36 750.210A                      PUB SAF        H        SALE OF VALERIUM  
5

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1	750.211	PUB SAF	E	MANUFACTURE OF EXPLOSIVES WITH UNLAWFUL INTENT
2	5			
3	750.211A	PUB SAF	F	POSSESSING OR MANUFACTURING DEVICE DESIGNED TO EXPLODE UPON IMPACT OR HEATING
4				
5	4			
6	750.213	PERSON	B	THREATS TO EXTORT MONEY
	20			
7	750.217B	PUB SAF	G	IMPERSONATING PUBLIC UTILITY EMPLOYEE
8				
	2			
9	750.218	PROPERTY	E	FALSE PRETENSES OVER \$100
	10			
10	750.219A(2)(C)	PROPERTY	E	TELECOMMUNICATIONS FRAUD -- 2 PRIOR CONVICTIONS OR VALUE BETWEEN \$1,000-\$20,000
11				
12	5			
13	750.219A(2)(D)	PROPERTY	D	TELECOMMUNICATIONS FRAUD -- 3 OR MORE PRIOR CONVICTIONS OR VALUE OVER OF \$20,000
14				
15	10			
16	750.223(2)	PUB SAF	F	SALE OF FIREARM TO MINOR -- SECOND OFFENSE
17				
	4			
18	750.223(3)	PUB ORD	D	SALE OF FIREARM TO PERSON PROHIBITED FROM POSSESSING
19				
	10			
20	750.224	PUB SAF	E	MANUFACTURE OR SALE OF SILENCER, BOMB, BLACKJACK, AUTOMATIC WEAPON, GAS SPRAY, ETC.
21				
22				
23	5			
24	750.224A	PUB SAF	F	POSSESSION OR SALE OF ELECTRICAL CURRENT WEAPONS
25				
	4			
26	750.224B	PUB SAF	E	POSSESSION OF SHORT BARRELED SHOTGUN OR RIFLE
27				
	5			
28	750.224C	PUB SAF	F	ARMOR PIERCING AMMUNITION
	4			
29	750.224D(2)	PERSON	G	USING SELF-DEFENSE SPRAY DEVICE
30				
	2			
31	750.224E	PUB SAF	F	MANUFACTURE/SALE/POSSESSION OF DEVICES TO CONVERT SEMIAUTOMATIC WEAPONS
32				
33	4			
34	750.224F	PUB SAF	E	POSSESSION OR SALE OF FIREARM BY FELON
35				
	5			



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<b>1</b>	750.227	PUB SAF	E	CARRYING A CONCEALED WEAPON
	5			
<b>2</b>	750.227A	PUB SAF	F	UNLAWFUL POSSESSION OF PISTOL
	4			
<b>3</b>	750.227C	PUB SAF	G	POSSESSING A LOADED FIREARM IN
<b>4</b>				OR UPON A VEHICLE
	2			
<b>5</b>	750.227F	PUB SAF	F	WEARING BODY ARMOR DURING COM-
<b>6</b>				MISSION OF VIOLENT CRIME
	4			
<b>7</b>	750.230	PUB SAF	G	ALTERING ID MARK ON FIREARM
	2			
<b>8</b>	750.232A(3)	PUB SAF	G	FALSE STATEMENT IN A PISTOL
<b>9</b>				APPLICATION
	4			
<b>10</b>	750.234A	PUB SAF	F	DISCHARGING FIREARM FROM
<b>11</b>				VEHICLE
	4			
<b>12</b>	750.234B	PUB SAF	F	DISCHARGING FIREARM IN OR AT A
<b>13</b>				BUILDING
	4			
<b>14</b>	750.234C	PUB SAF	F	DISCHARGING FIREARM AT
<b>15</b>				EMERGENCY/POLICE VEHICLE
	4			
<b>16</b>	750.236	PERSON	C	SETTING SPRING GUN -- DEATH
<b>17</b>				RESULTING
	15			
<b>18</b>	750.237A(1)	PUB SAF	F	WEAPON-FREE SCHOOL ZONES --
<b>19</b>				GENERAL FELONY VIOLATIONS
	VARIABLE			
<b>20</b>	750.241(1)	PUB SAF	F	OBSTRUCTING FIREFIGHTER
	4			
<b>21</b>	750.241(3)	PUB SAF	F	OBSTRUCTING PUBLIC SERVICE
<b>22</b>				FACILITY PERSONNEL IN CIVIL
<b>23</b>				DISTURBANCE
	4			
<b>24</b>	750.248	PROPERTY	E	FORGERY
	14			
<b>25</b>	750.248A	PROPERTY	F	UTTERING & PUBLISHING FINAN-
<b>26</b>				CIAL TRANSACTION DEVICE
	4			
<b>27</b>	750.249	PROPERTY	E	UTTERING & PUBLISHING FORGED
<b>28</b>				RECORDS
	14			
<b>29</b>	750.249A	PROPERTY	H	MOLDS OR DIES TO FORGE FINAN-
<b>30</b>				CIAL TRANSACTION DEVICE
	4			
<b>31</b>	750.250	PROPERTY	E	FORGERY OF TREASURY NOTES
	7			

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<b>32</b>	750.251 7	PROPERTY	E	FORGERY OF BANK BILLS
<b>33</b>	750.252 7	PROPERTY	E	POSSESSING COUNTERFEIT NOTES

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1	750.253	PROPERTY	G	UTTERING COUNTERFEIT NOTES
5				
2	750.254	PROPERTY	E	POSSESSION OF COUNTERFEIT
3				NOTES OR BILLS
5				
4	750.255	PROPERTY	E	POSSESSION OF COUNTERFEITING
5				TOOLS
10				
6	750.260	PROPERTY	E	COUNTERFEITING COINS OR POS-
7				SESSION OF 5 OR MORE COUN-
8				TERFEIT COINS
	LIFE			
9	750.261	PROPERTY	E	POSSESSION OF 5 OR FEWER COUN-
10				TERFEIT COINS
10				
11	750.262	PROPERTY	E	MANUFACTURE OR POSSESSION OF
12				TOOLS TO COUNTERFEIT COINS
10				
13	750.263(3)	PROPERTY	E	DELIVERY, USE, OR DISPLAY OF
14				ITEMS WITH COUNTERFEIT MARK
15				-- SUBSEQUENT OFFENSE OR
16				OVER \$1,000 OR 100 ITEMS
5				
17	750.263(4)	PROPERTY	E	MANUFACTURING ITEMS WITH COUN-
18				TERFEIT MARK
5				
19	750.266	PROPERTY	G	COUNTERFEITING RAILROAD
20				TICKETS
4				
21	750.271	PROPERTY	E	FRAUDULENTLY ISSUING OR SELL-
22				ING DOMESTIC SECURITIES
10				
23	750.272	PROPERTY	G	SALE OF FRAUDULENT STOCK OF
24				FOREIGN CORPORATIONS
10				
25	750.273	PROPERTY	E	OBTAINING SIGNATURE TO FINAN-
26				CIAL DOCUMENT WITH INTENT TO
27				DEFRAUD
10				
28	750.274	PROPERTY	E	FRAUD -- PURCHASING/COLLECTING
29				ON FRAUDULENT FINANCIAL
30				DOCUMENT
10				
31	750.276	PROPERTY	G	FRAUD -- PROMISE TO VENDEE OF
32				GRAIN AT FICTITIOUS PRICE
4				
33	750.277	PUB TRST	G	PROMISE TO VENDEE OF GRAIN TO
34				SELL AT A FICTITIOUS PRICE
35				-- SALE AND TRANSFER
4				
36	750.278	PROPERTY	G	FRAUD -- WAREHOUSE RECEIPTS
5				



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1	750.280	PROPERTY	E	GROSS FRAUDS/CHEATS AT COMMON LAW
2	10			
3	750.282	PUB ORD	G	PUBLIC UTILITY -- FRAUDULENT USE OVER \$500
4	4			
5	750.300	PUB ORD	G	ANIMALS -- KILLING/INJURING TO DEFRAUD INSURANCE COMPANY
6	2			
7	750.300A(1)(A)	PROPERTY	G	FOOD STAMP FRAUD -- \$250 OR LESS -- SECOND OFFENSE
8	5			
9	750.300A(1)(A)	PROPERTY	G	FOOD STAMP FRAUD -- \$250 OR LESS -- THIRD OFFENSE
10	10			
11	750.300A(1)(B)	PROPERTY	E	FOOD STAMP FRAUD -- MORE THAN \$250 TO \$1,000
12	5			
13	750.300A(1)(B)	PROPERTY	E	FOOD STAMP FRAUD -- MORE THAN \$250 TO \$1,000 -- SECOND OFFENSE
14				
15	10			
16	750.300A(1)(C)	PROPERTY	E	FOOD STAMP FRAUD -- OVER \$1,000
17	10			
18	750.303	PUB ORD	H	GAMBLING
	2			
19	750.313	PUB ORD	H	GAMBLING -- STOCKS/BONDS/COMMODITIES
20	2			
21	750.317 LIFE	PERSON	M2	SECOND DEGREE MURDER
22	750.321 15	PERSON	C	MANSLAUGHTER
23	750.322	PERSON	C	WILLFUL KILLING OF UNBORN QUICK CHILD
24	15			
25	750.323 15	PERSON	C	ABORTION RESULTING IN DEATH
26	750.324 2	PERSON	G	NEGLIGENT HOMICIDE
27	750.327	PERSON	A	DEATH BY EXPLOSIVES ON VEHICLE OR VESSEL
28	LIFE			
29	750.328	PERSON	A	DEATH BY EXPLOSIVES IN OR NEAR BUILDING
30	LIFE			
31	750.329	PERSON	C	HOMICIDE -- WEAPON AIMED WITH INTENT BUT NOT MALICE
32	15			

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<b>33</b>	750.332	PROPERTY	H	ENTERING HORSE IN RACE UNDER
<b>34</b>				FALSE NAME
	4			

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<b>1</b>	750.335A	PERSON	A	INDECENT EXPOSURE BY SEXUALLY
<b>2</b>	LIFE			DELINQUENT PERSON
<b>3</b>	750.338	PUB ORD	G	GROSS INDECENCY BETWEEN MALES
<b>5</b>				
<b>4</b>	750.338A	PUB ORD	G	GROSS INDECENCY BETWEEN
<b>5</b>	5			FEMALES
<b>6</b>	750.338B	PUB ORD	G	GROSS INDECENCY BETWEEN MALES
<b>7</b>	5			AND FEMALES
<b>8</b>	750.348	PUB SAF	H	INCITING INDIANS TO VIOLATE A
<b>9</b>	4			TREATY
<b>10</b>	750.349	PERSON	A	KIDNAPPING
	LIFE			
<b>11</b>	750.349A	PERSON	A	PRISONER TAKING A HOSTAGE
	LIFE			
<b>12</b>	750.350	PERSON	A	KIDNAPPING -- CHILD ENTICEMENT
	LIFE			
<b>13</b>	750.350A	PERSON	H	KIDNAPPING -- CUSTODIAL
<b>14</b>	1			INTERFERENCE
<b>15</b>	750.356	PROPERTY	E	LARCENY OVER \$100
<b>5</b>				
<b>16</b>	750.356A	PROPERTY	G	LARCENY FROM A MOTOR VEHICLE
<b>5</b>				
<b>17</b>	750.356B	PROPERTY	G	BREAKING AND ENTERING A COIN
<b>18</b>	4			TELEPHONE
<b>19</b>	750.356C	PROPERTY	H	RETAIL FRAUD -- FIRST DEGREE
<b>2</b>				
<b>20</b>	750.357	PERSON	D	LARCENY FROM THE PERSON
<b>10</b>				
<b>21</b>	750.357A	PROPERTY	G	LARCENY OF LIVESTOCK
<b>4</b>				
<b>22</b>	750.357B	PROPERTY	E	LARCENY -- STEALING FIREARMS
<b>23</b>	5			OF ANOTHER
<b>24</b>	750.358	PROPERTY	G	LARCENY FROM BURNING BUILDING
<b>5</b>				
<b>25</b>	750.360	PROPERTY	G	LARCENY IN A BUILDING
<b>4</b>				
<b>26</b>	750.361	PROPERTY	H	TRAINS -- STEALING/MALICIOUSLY
<b>27</b>	2			REMOVING PARTS
<b>28</b>	750.362	PROPERTY	E	LARCENY BY CONVERSION OVER
<b>29</b>				\$100

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<b>30</b>	750.362A	PROPERTY	H	LARCENY OF RENTAL PROPERTY
	2			
<b>31</b>	750.363	PROPERTY	E	LARCENY BY FALSE PERSONATION
<b>32</b>				OVER \$100
	5			

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1	750.365	PERSON	D	LARCENY FROM CAR OR PERSONS
2				DETAINED OR INJURED BY
3	20			ACCIDENT
4	750.366	PROPERTY	G	LARCENY OF RAILROAD TICKETS
4				
5	750.367	PROPERTY	G	LARCENY OF TREES & SHRUBS OVER
6	5			\$100
7	750.367B	PROPERTY	E	AIRPLANES -- TAKING POSSESSION
5				
8	750.372	PUB ORD	H	RUNNING OR ALLOWING LOTTERY
2				
9	750.373	PUB ORD	H	SELLING OR POSSESSING LOTTERY
10	2			TICKETS
11	750.374	PUB ORD	H	LOTTERY -- SECOND OFFENSE
4				
12	750.377A	PROPERTY	G	MALICIOUS DESTRUCTION OF PER-
13	4			SONAL PROPERTY OVER \$100
14	750.377B	PROPERTY	F	MALICIOUS DESTRUCTION OF
15	4			FIRE/POLICE PROPERTY
16	750.377C	PROPERTY	E	SCHOOL BUS -- INTENTIONAL
17	5			DAMAGE
18	750.378	PROPERTY	F	MALICIOUS DESTRUCTION OF PROP-
19	4			ERTY -- DAMS/CANALS/ MILLS
20	750.379	PROPERTY	F	MALICIOUS DESTRUCTION OF PROP-
21				ERTY -- BRIDGES/
22	4			RAILROADS/LOCKS
23	750.380	PROPERTY	F	MALICIOUS DESTRUCTION OF
24	4			BUILDING OVER \$100
25	750.383A	PROPERTY	F	MALICIOUS DESTRUCTION OF UTIL-
26	4			ITY EQUIPMENT
27	750.386	PROPERTY	E	MALICIOUS DESTRUCTION OF MINE
28	20			PROPERTY
29	750.387	PROPERTY	G	MALICIOUS DESTRUCTION OF TOMBS
30	5			& MEMORIALS
31	750.392	PROPERTY	E	MALICIOUS DESTRUCTION OF PROP-
32	10			ERTY -- VESSELS
33	750.397	PERSON	D	MAYHEM



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1	750.405	PUB SAF	E	INCITING SOLDIERS TO DESERT
5				
2	750.406	PUB SAF	E	MILITARY STORES -- LARCENY,
3				EMBEZZLEMENT OR DESTRUCTION
5				
4	750.410A	PERSON	G	CONSPIRACY TO COMMIT A PERSON
5				TO STATE HOSPITAL UNJUSTLY
4				
6	750.411A(1)(B)	PUB ORD	F	FALSE REPORT OF A FELONY
4				
7	750.411A(2)	PUB ORD	F	FALSE REPORT OF A BOMBING OR
8				THREAT TO BOMB
4				
9	750.411B	PUB TRST	G	EXCESS FEES TO MEMBERS OF
10				LEGISLATURE
4				
11	750.411H(2)(B)	PERSON	E	STALKING OF A MINOR
5				
12	750.411I(3)(B)	PERSON	D	AGGRAVATED STALKING OF A MINOR
10				
13	750.411I	PUB ORD	H	MONEY LAUNDERING -- FOURTH
14				DEGREE
2				
15	750.411M	PUB ORD	E	MONEY LAUNDERING -- THIRD
16				DEGREE
5				
17	750.411N	PUB ORD	D	MONEY LAUNDERING -- SECOND
18				DEGREE
10				
19	750.411O	PUB ORD	B	MONEY LAUNDERING -- FIRST
20				DEGREE
20				
21	750.411P(2)(A)	PROPERTY	B	MONEY LAUNDERING -- >\$10,000
22				PROCEEDS FROM CONTROLLED
23				SUBSTANCE OFFENSE
20				
24	750.411P(2)(B)	PROPERTY	D	MONEY LAUNDERING -- PROCEEDS
25				FROM CONTROLLED SUBSTANCE
26				OFFENSE OR OTHER PROCEEDS
27				>\$10,000
10				

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<b>1</b>	750.411P(2)(C)	PROPERTY	E	MONEY LAUNDERING --
<b>2</b>				TRANSACTIONS INVOLVING
<b>3</b>				REPRESENTED PROCEEDS
	5			
<b>4</b>	750.413	PROPERTY	E	UNLAWFUL DRIVING AWAY OF AN
<b>5</b>				AUTOMOBILE
	5			
<b>6</b>	750.414	PROPERTY	H	UNLAWFUL USE OF AN AUTOMOBILE
	2			
<b>7</b>	750.415(2)	PROPERTY	G	MOTOR VEHICLES --
<b>8</b>				CONCEAL/MISREPRESENT IDEN-
<b>9</b>				TITY W/INTENT TO MISLEAD
	4			
<b>10</b>	750.417	PROPERTY	H	MOTOR VEHICLE -- MORTGAGED --
<b>11</b>				REMOVAL FROM STATE
	4			
<b>12</b>	750.418	PROPERTY	H	REMOVING A VEHICLE OUT OF
<b>13</b>				STATE WITHOUT VENDOR'S
<b>14</b>				CONSENT
	4			
<b>15</b>	750.420	PUB SAF	H	MOTOR VEHICLE -- EQUIPPING TO
<b>16</b>				RELEASE SMOKE/GAS
	4			
<b>17</b>	750.421	PUB SAF	H	MOTOR VEHICLE -- DESIGNED FOR
<b>18</b>				ATTACK
	5			
<b>19</b>	750.421B	PUB SAF	H	HINDER TRANSPORT OF
<b>20</b>				FARM/COMMERCIAL PRODUCTS --
<b>21</b>				SECOND OFFENSE
	2			
<b>22</b>	750.422	PUB TRST	G	PERJURY -- COMMITTED IN
<b>23</b>				COURT/CAPITAL CRIME
	LIFE			
<b>24</b>	750.422	PUB TRST	G	PERJURY -- COMMITTED IN
<b>25</b>				COURT/NONCAPITAL CRIME
	15			
<b>26</b>	750.423	PUB TRST	E	PERJURY
	15			
<b>27</b>	750.424	PUB TRST	E	SUBORNATION OF PERJURY
	15			

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1	750.425	PUB TRST	E	INCITING OR PROCURING PERJURY
5				
2	750.436(1)	PERSON	E	POISONING FOOD/DRINK/WELLS
5				
3	750.436(2)	PERSON	A	POISON --
4				FOOD/DRINK/MEDICINE/WELLS --
5				LARGE AMOUNTS/INJURY
	LIFE			
6	750.436(3)	PUB SAF	H	POISON -- MALICIOUS FALSE
7				STATEMENT OF POISONING
	2			
8	750.439	PUB ORD	G	POLYGAMY
4				
9	750.440	PUB ORD	G	POLYGAMY -- KNOWINGLY ENTERING
10				A PROHIBITED MARRIAGE
	4			
11	750.441	PUB ORD	G	TEACHING OR ADVOCATING
12				POLYGAMY
	4			
13	750.442	PUB ORD	G	PARTICIPATING IN PRIZEFIGHTS
	4			
14	750.443	PUB ORD	G	PRIZEFIGHTS -- TRAINING
	4			
15	750.451	PUB ORD	G	PROSTITUTION -- VARIOUS
16				OFFENSES THIRD OFFENSE
	2			
17	750.452	PUB ORD	E	KEEPING A HOUSE OF
18				PROSTITUTION
	5			
19	750.455	PUB ORD	G	PANDERING
	20			
20	750.456	PERSON	B	PLACING SPOUSE INTO
21				PROSTITUTION
	20			
22	750.457	PUB ORD	G	ACCEPTING EARNINGS OF A
23				PROSTITUTE
	20			
24	750.458	PERSON	B	PROSTITUTION -- DETAINING
25				FEMALE FOR DEBT

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<b>1</b>	750.459	PERSON	B	TRANSPORTING A FEMALE FOR
<b>2</b>	20			PROSTITUTION
<b>3</b>	750.479	PERSON	G	RESISTING OR OBSTRUCTING A
<b>4</b>	2			PEACE OFFICER
<b>5</b>	750.479A(2)	PUB SAF	G	FLEEING & ELUDING -- FOURTH
<b>6</b>	2			DEGREE
<b>7</b>	750.479A(3)	PUB SAF	E	FLEEING & ELUDING -- THIRD
<b>8</b>	5			DEGREE
<b>9</b>	750.479A(4)	PERSON	D	FLEEING & ELUDING -- SECOND
<b>10</b>	10			DEGREE
<b>11</b>	750.479A(5)	PERSON	C	FLEEING & ELUDING -- FIRST
<b>12</b>	15			DEGREE
<b>13</b>	750.479A(6)	PERSON	H	ASSAULTING PEACE OFFICER
	2			
<b>14</b>	750.479B(1)	PERSON	F	DISARMING PEACE OFFICER --
<b>15</b>	4			NON-FIREARM
<b>16</b>	750.479B(2)	PERSON	D	DISARMING PEACE OFFICER-
<b>17</b>	10			FIREARM
<b>18</b>	750.480	PUB TRST	F	PUBLIC OFFICERS -- REFUSING TO
<b>19</b>				TURN OVER BOOKS/MONEY TO
<b>20</b>	4			SUCCESSOR
<b>21</b>	750.488	PUB TRST	H	PUBLIC OFFICERS -- STATE OFFI-
<b>22</b>	2			CIAL -- RETAINING FEES
<b>23</b>	750.490	PUB TRST	H	PUBLIC MONEY -- SAFE KEEPING
	2			
<b>24</b>	750.491	PUB TRST	H	PUBLIC RECORDS --
<b>25</b>				REMOVAL/MUTILATION/DESTRUCTION
<b>26</b>	2			

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1 2 3 4	750.492A(1)(A)	PUB TRST	G	MEDICAL RECORD -- INTENTIONAL PLACE FALSE INFO -- HEALTH CARE PROVIDER
4 5 6 4	750.492A(2)	PUB TRST	G	MEDICAL RECORD -- HEALTH CARE PROVIDER ALTER CONCEAL INJURY/DEATH
7 8 9 4	750.495A(2)	PERSON	F	CONCEALING OBJECTS IN TREES OR WOOD PRODUCTS -- CAUSING INJURY
10 11 12 15	750.495A(3)	PERSON	C	CONCEALING OBJECTS IN TREES OR WOOD PRODUCTS -- CAUSING DEATH
13 5	750.505	PUB ORD	E	COMMON LAW OFFENSES
14 15 LIFE	750.511	PERSON	A	BLOCKING OR WRECKING RAILROAD TRACK
16 10	750.512	PROPERTY	E	UNCOUPLING RAILROAD CARS
17 18 10	750.513	PROPERTY	H	ISSUING FRAUDULENT RAILROAD SECURITIES
19 20 10	750.514	PROPERTY	H	SEIZING LOCOMOTIVE WITH MAIL CAR
21 LIFE	750.516	PERSON	C	STOPPING TRAIN TO ROB
22 LIFE	750.517	PERSON	C	BOARDING TRAIN TO ROB
23 24 LIFE	750.520B	PERSON	A	FIRST DEGREE CRIMINAL SEXUAL CONDUCT
25 26 15	750.520C	PERSON	C	SECOND DEGREE CRIMINAL SEXUAL CONDUCT
27 28	750.520D	PERSON	C	THIRD DEGREE CRIMINAL SEXUAL CONDUCT

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<b>1</b>	750.520E	PERSON	G	FOURTH DEGREE CRIMINAL SEXUAL
<b>2</b>	2			CONDUCT
<b>3</b>	750.520G(1)	PERSON	D	ASSAULT WITH INTENT TO COMMIT
<b>4</b>	10			SEXUAL PENETRATION
<b>5</b>	750.520G(2)	PERSON	E	ASSAULT WITH INTENT TO COMMIT
<b>6</b>	5			SEXUAL CONTACT
<b>7</b>	750.528	PUB SAF	F	DESTROYING DWELLING HOUSE OR
<b>8</b>	4			OTHER PROPERTY
<b>9</b>	750.528A	PUB SAF	F	CIVIL DISORDERS --
<b>10</b>	4			FIREARMS/EXPLOSIVES
<b>11</b>	750.529	PERSON	A	ARMED ROBBERY
	LIFE			
<b>12</b>	750.529A	PERSON	A	CARJACKING
	LIFE			
<b>13</b>	750.530	PERSON	C	UNARMED ROBBERY
	15			
<b>14</b>	750.531	PERSON	C	BANK ROBBERY/SAFEBREAKING
	LIFE			
<b>15</b>	750.532	PERSON	H	SEDUCTION
	5			
<b>16</b>	750.535	PROPERTY	E	RECEIVING OR CONCEALING STOLEN
<b>17</b>	5			PROPERTY OVER \$100
<b>18</b>	750.535A	PUB ORD	E	OPERATING A CHOP SHOP
	5			
<b>19</b>	750.535B	PUB SAF	E	STOLEN FIREARMS OR AMMUNITION
	10			
<b>20</b>	750.539C	PUB ORD	H	EAVESDROPPING
	2			
<b>21</b>	750.539D	PUB ORD	H	INSTALLING EAVESDROPPING
<b>22</b>	2			DEVICE





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<b>1</b>	752.543	PUB SAF	G	UNLAWFUL ASSEMBLY
<b>5</b>				
<b>2</b>	752.701	PROPERTY	H	DESTRUCTION OR REMOVAL OF
<b>3</b>				TIMBER
	1			
<b>4</b>	752.797(1)(C)	PROPERTY	E	COMPUTER FRAUD -- 2 PRIOR CON-
<b>5</b>				VICTIONS OR VALUE BETWEEN
<b>6</b>				\$1,000 AND \$20,000
	5			
<b>7</b>	752.797(1)(D)	PROPERTY	D	COMPUTER FRAUD -- 3 OR MORE
<b>8</b>				PRIOR CONVICTIONS OR VALUE
<b>9</b>				OVER \$20,000
	10			
<b>10</b>	752.802	PROPERTY	H	VENDING MACHINES --
<b>11</b>				MANUFACTURE/SALE OF SLUGS
	5			
<b>12</b>	752.811	PROPERTY	H	BREAKING AND ENTERING A COIN
<b>13</b>				OPERATED DEVICE
	3			
<b>14</b>	752.861	PERSON	G	CARELESS DISCHARGE OF FIREARM
<b>15</b>				CAUSING INJURY OR DEATH
	2			
<b>16</b>	752.881	PERSON	G	RECKLESS USE OF BOW & ARROW
<b>17</b>				RESULTING IN INJURY OR DEATH
	2			
<b>18</b>	752.1003	PROPERTY	F	HEALTH CARE FRAUD -- FALSE
<b>19</b>				CLAIM/STATE, UNNECESSARY,
<b>20</b>				CONCEAL INFO
	4			
<b>21</b>	752.1004	PROPERTY	F	HEALTH CARE FRAUD --
<b>22</b>				KICKBACKS/REFERRAL FEES
	4			
<b>23</b>	752.1005	PROPERTY	H	HEALTH CARE FRAUD --
<b>24</b>				CONSPIRACY
	10			
<b>25</b>	752.1006	PROPERTY	D	HEALTH CARE FRAUD -- SECOND
<b>26</b>				OFFENSE
	20			
<b>27</b>	752.1027	PERSON	F	ASSISTED SUICIDE
	4			
<b>28</b>	752.1054(2)	PROPERTY	G	COPYING AUDIO/VIDEO RECORDINGS
<b>29</b>				FOR GAIN
	5			
<b>30</b>	764.1E	PUB TRST	C	PEACE OFFICER -- FALSE STATE-
<b>31</b>				MENT IN A COMPLAINT
	15			
<b>32</b>	767.4A	PUB TRST	F	DISCLOSING OR POSSESSING GRAND
<b>33</b>				JURY INFORMATION
	4			
<b>34</b>	800.281(1)	PUB SAF	H	FURNISHING PRISONER WITH
<b>35</b>				CONTRABAND



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1	800.281(3)	PUB SAF	H	BRINGING CONTRABAND INTO
2	5			PRISONS
3	800.281(4)	PUB SAF	E	PRISONER POSSESSING CONTRABAND
	5			
4	800.283(1)	PUB SAF	E	FURNISHING WEAPON TO PRISONER
5	5			IN PRISON
6	800.283(2)	PUB SAF	E	PRISONS -- KNOWLEDGE OF A
7				WEAPON IN A CORRECTIONAL
8	5			FACILITY
9	800.283(3)	PUB SAF	E	BRINGING WEAPON INTO PRISON
	5			
10	800.283(4)	PUB SAF	E	PRISONER POSSESSING WEAPON
	5			

11 SEC. 18. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES:

12

13 **M.C.L.  
STAT MAX**

**CATEGORY**

**DESCRIPTION**

14	333.7410	CS		CONTROLLED SUBSTANCE DELIVERY
15				OR DISTRIBUTION TO MINORS OR
16	VARIABLE			STUDENTS
17	333.7413(2) OR (3)	PUB TRST		SUBSEQUENT CONTROLLED SUB-
18	VARIABLE			STANCE VIOLATIONS
19	333.7416(1)(A)	CS		RECRUITING OR INDUCING A MINOR
20				TO COMMIT A CONTROLLED SUB-
21	VARIABLE			STANCE FELONY
22	750.157A(A)	PUB SAF		CONSPIRACY
	VARIABLE			
23	750.157C	PERSON		INDUCING MINOR TO COMMIT A
24	VARIABLE			FELONY
25	750.188	PUB ORD		VOLUNTARILY SUFFERING PRISONER
26	VARIABLE			TO ESCAPE
27	750.367A	PROPERTY		LARCENY OF RATIONED GOODS
	VARIABLE			

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1 IN PART 6 OF THIS CHAPTER, DETERMINE THE RECOMMENDED MINIMUM  
2 SENTENCE RANGE FROM THE INTERSECTION OF THE OFFENDER'S OFFENSE  
3 VARIABLE LEVEL AND PRIOR RECORD VARIABLE LEVEL. THE RECOMMENDED  
4 MINIMUM SENTENCE WITHIN A SENTENCING GRID IS SHOWN AS A RANGE OF  
5 MONTHS OR LIFE.

6 (2) IF THE DEFENDANT WAS CONVICTED OF MULTIPLE OFFENSES,  
7 SCORE EACH OFFENSE AS PROVIDED IN THIS PART.

8 (3) IF THE OFFENDER IS BEING SENTENCED UNDER SECTION 10, 11,  
9 OR 12 OF CHAPTER IX, DETERMINE THE OFFENSE CATEGORY, OFFENSE  
10 CLASS, OFFENSE VARIABLE LEVEL, AND PRIOR RECORD VARIABLE LEVEL  
11 BASED ON THE UNDERLYING OFFENSE. TO DETERMINE THE RECOMMENDED  
12 MINIMUM SENTENCE RANGE, INCREASE THE UPPER LIMIT OF THE RECOM-  
13 MENDED MINIMUM SENTENCE RANGE DETERMINED UNDER PART 6 FOR THE  
14 UNDERLYING OFFENSE AS FOLLOWS:

15 (A) IF THE OFFENDER IS BEING SENTENCED FOR A SECOND FELONY,  
16 25%.

17 (B) IF THE OFFENDER IS BEING SENTENCED FOR A THIRD FELONY,  
18 50%.

19 (C) IF THE OFFENDER IS BEING SENTENCED FOR A FOURTH OR SUB-  
20 SEQUENT FELONY, 100%.

21 (4) IF THE OFFENDER IS BEING SENTENCED FOR A VIOLATION  
22 DESCRIBED IN SECTION 18 OF THIS CHAPTER, DETERMINE THE OFFENSE  
23 CLASS, OFFENSE VARIABLE LEVEL, AND PRIOR RECORD VARIABLE LEVEL  
24 BASED ON THE UNDERLYING OFFENSE.

25 (5) IF THE OFFENDER IS BEING SENTENCED FOR AN ATTEMPTED  
26 FELONY DESCRIBED IN SECTION 19 OF THIS CHAPTER, DETERMINE THE



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- 1 (A) A FIREARM WAS DISCHARGED AT OR TOWARD A HUMAN  
2 BEING OR A VICTIM WAS CUT OR STABBED WITH A KNIFE OR  
3 OTHER CUTTING OR STABBING WEAPON..... 25 POINTS  
4 (B) A FIREARM WAS POINTED AT OR TOWARD A VICTIM  
5 OR THE VICTIM HAD A REASONABLE APPREHENSION OF AN  
6 IMMEDIATE BATTERY WHEN THREATENED WITH A KNIFE OR  
7 OTHER CUTTING OR STABBING WEAPON..... 15 POINTS  
8 (C) THE VICTIM WAS TOUCHED BY ANY OTHER TYPE OF  
9 WEAPON..... 10 POINTS  
10 (D) A WEAPON WAS DISPLAYED OR IMPLIED..... 5 POINTS  
11 (E) NO AGGRAVATED USE OF A WEAPON OCCURRED..... 0 POINTS  
12 (2) ALL OF THE FOLLOWING APPLY TO SCORING OFFENSE VARIABLE  
13 1:  
14 (A) COUNT EACH PERSON WHO WAS PLACED IN DANGER OR INJURY OR  
15 LOSS OF LIFE AS A VICTIM.  
16 (B) IN MULTIPLE OFFENDER CASES, IF 1 OFFENDER IS ASSESSED  
17 POINTS FOR THE PRESENCE OR USE OF A WEAPON, ALL OFFENDERS SHALL  
18 BE ASSESSED THE SAME NUMBER OF POINTS.  
19 (C) SCORE 5 POINTS IF AN OFFENDER USED AN OBJECT TO SUGGEST  
20 THE PRESENCE OF A WEAPON.  
21 (D) DO NOT SCORE 5 POINTS IF THE CONVICTION OFFENSE IS A  
22 VIOLATION OF SECTION 82 OR 529 OF THE MICHIGAN PENAL CODE, 1931  
23 PA 328, MCL 750.82 AND 750.529.  
24 SEC. 32. (1) OFFENSE VARIABLE 2 IS LETHAL POTENTIAL OF THE  
25 WEAPON POSSESSED. SCORE OFFENSE VARIABLE 2 BY DETERMINING WHICH  
26 OF THE FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF POINTS  
27 ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF POINTS:

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1 (A) THE OFFENDER POSSESSED AN INCENDIARY DEVICE,  
2 AN EXPLOSIVE DEVICE, OR A FULLY AUTOMATIC WEAPON..... 15 POINTS

3 (B) THE OFFENDER POSSESSED A SHORT BARRELED RIFLE  
4 OR A SHORT BARRELED SHOTGUN..... 10 POINTS

5 (C) THE OFFENDER POSSESSED A PISTOL, RIFLE, SHOT-  
6 GUN, OR KNIFE OR OTHER CUTTING OR STABBING WEAPON..... 5 POINTS

7 (D) THE OFFENDER POSSESSED ANY OTHER POTENTIALLY  
8 LETHAL WEAPON..... 1 POINT

9 (E) THE OFFENDER POSSESSED NO WEAPON..... 0 POINTS

10 (2) IN MULTIPLE OFFENDER CASES, IF 1 OFFENDER IS ASSESSED  
11 POINTS FOR POSSESSING A WEAPON, ALL OFFENDERS SHALL BE ASSESSED  
12 THE SAME NUMBER OF POINTS.

13 (3) AS USED IN THIS SECTION:

14 (A) "FULLY AUTOMATIC WEAPON" MEANS A FIREARM EMPLOYING GAS  
15 PRESSURE OR FORCE OF RECOIL OR OTHER MEANS TO EJECT AN EMPTY CAR-  
16 TRIDGE FROM THE FIREARM AFTER A SHOT, AND TO LOAD AND FIRE THE  
17 NEXT CARTRIDGE FROM THE MAGAZINE, WITHOUT RENEWED PRESSURE ON THE  
18 TRIGGER FOR EACH SUCCESSIVE SHOT.

19 (B) "PISTOL", "RIFLE", OR "SHOTGUN" INCLUDES A REVOLVER,  
20 SEMI-AUTOMATIC PISTOL, RIFLE, SHOTGUN, COMBINATION RIFLE AND  
21 SHOTGUN, OR OTHER FIREARM MANUFACTURED IN OR AFTER 1898 THAT  
22 FIRES FIXED AMMUNITION, BUT DOES NOT INCLUDE A FULLY AUTOMATIC  
23 WEAPON OR SHORT-BARRELED SHOTGUN OR SHORT-BARRELED RIFLE.

24 (C) "INCENDIARY DEVICE" INCLUDES GASOLINE OR ANY OTHER FLAM-  
25 MABLE SUBSTANCE, A BLOWTORCH, FIRE BOMB, MOLOTOV COCKTAIL, OR  
26 OTHER SIMILAR DEVICE.

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1           SEC. 33. (1) OFFENSE VARIABLE 3 IS PHYSICAL INJURY TO A  
2 VICTIM. SCORE OFFENSE VARIABLE 3 BY DETERMINING WHICH OF THE  
3 FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF POINTS ATTRIBUT-  
4 ABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF POINTS:

5           (A) A VICTIM WAS KILLED..... 100 POINTS

6           (B) LIFE THREATENING OR PERMANENT INCAPACITATING  
7 INJURY OCCURRED TO A VICTIM..... 25 POINTS

8           (C) BODILY INJURY REQUIRING MEDICAL TREATMENT  
9 OCCURRED TO A VICTIM..... 10 POINTS

10          (D) BODILY INJURY NOT REQUIRING MEDICAL TREATMENT  
11 OCCURRED TO A VICTIM..... 5 POINTS

12          (E) NO PHYSICAL INJURY OCCURRED TO A VICTIM..... 0 POINTS

13          (2) ALL OF THE FOLLOWING APPLY TO SCORING OFFENSE VARIABLE  
14 3:

15          (A) IN MULTIPLE OFFENDER CASES, IF 1 OFFENDER IS ASSESSED  
16 POINTS FOR DEATH OR PHYSICAL INJURY, ALL OFFENDERS SHALL BE  
17 ASSESSED THE SAME NUMBER OF POINTS.

18          (B) SCORE 100 POINTS IF DEATH RESULTS FROM THE COMMISSION OF  
19 A CRIME AND HOMICIDE IS NOT THE SENTENCING OFFENSE.

20          (C) DO NOT SCORE 5 POINTS IF BODILY INJURY IS AN ELEMENT OF  
21 THE SENTENCING OFFENSE.

22          (3) AS USED IN THIS SECTION, "REQUIRING MEDICAL TREATMENT"  
23 REFERS TO THE NECESSITY FOR TREATMENT AND NOT THE VICTIM'S SUC-  
24 CESS IN OBTAINING TREATMENT.

25          SEC. 34. (1) OFFENSE VARIABLE 4 IS PSYCHOLOGICAL INJURY TO  
26 A VICTIM. SCORE OFFENSE VARIABLE 4 BY DETERMINING WHICH OF THE

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1 FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF POINTS  
2 ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF POINTS:

3 (A) SERIOUS PSYCHOLOGICAL INJURY REQUIRING PRO-  
4 FESSIONAL TREATMENT OCCURRED TO A VICTIM..... 10 POINTS

5 (B) NO SERIOUS PSYCHOLOGICAL INJURY REQUIRING  
6 PROFESSIONAL TREATMENT OCCURRED TO A VICTIM..... 0 POINTS

7 (2) SCORE 10 POINTS IF THE SERIOUS PSYCHOLOGICAL INJURY MAY  
8 REQUIRE PROFESSIONAL TREATMENT. IN MAKING THIS DETERMINATION,  
9 THE FACT THAT TREATMENT HAS NOT BEEN SOUGHT IS NOT CONCLUSIVE.

10 SEC. 35. (1) OFFENSE VARIABLE 5 IS PSYCHOLOGICAL INJURY TO  
11 A MEMBER OF A VICTIM'S FAMILY. SCORE OFFENSE VARIABLE 5 BY  
12 DETERMINING WHICH OF THE FOLLOWING APPLY AND BY ASSIGNING THE  
13 NUMBER OF POINTS ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST  
14 NUMBER OF POINTS:

15 (A) SERIOUS PSYCHOLOGICAL INJURY REQUIRING PRO-  
16 FESSIONAL TREATMENT OCCURRED TO A HOMICIDE VICTIM'S  
17 FAMILY..... 15 POINTS

18 (B) NO SERIOUS PSYCHOLOGICAL INJURY REQUIRING  
19 PROFESSIONAL TREATMENT OCCURRED TO A HOMICIDE VICTIM'S  
20 FAMILY..... 0 POINTS

21 (2) SCORE 15 POINTS IF THE SERIOUS PSYCHOLOGICAL INJURY TO  
22 THE VICTIM'S FAMILY MAY REQUIRE PROFESSIONAL TREATMENT. IN  
23 MAKING THIS DETERMINATION, THE FACT THAT TREATMENT HAS NOT BEEN  
24 SOUGHT IS NOT CONCLUSIVE.

25 SEC. 36. (1) OFFENSE VARIABLE 6 IS THE OFFENDER'S INTENT TO  
26 KILL OR INJURE ANOTHER INDIVIDUAL. SCORE OFFENSE VARIABLE 6 BY  
27 DETERMINING WHICH OF THE FOLLOWING APPLY AND BY ASSIGNING THE

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- 1 NUMBER OF POINTS ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST  
2 NUMBER OF POINTS:
- 3       (A) THE OFFENDER HAD PREMEDITATED INTENT TO KILL  
4 OR THE KILLING WAS COMMITTED WHILE COMMITTING OR  
5 ATTEMPTING TO COMMIT ARSON, CRIMINAL SEXUAL CONDUCT IN  
6 THE FIRST OR THIRD DEGREE, CHILD ABUSE IN THE FIRST  
7 DEGREE, A MAJOR CONTROLLED SUBSTANCE OFFENSE, ROBBERY,  
8 BREAKING AND ENTERING OF A DWELLING, HOME INVASION IN  
9 THE FIRST OR SECOND DEGREE, LARCENY OF ANY KIND,  
10 EXTORTION, OR KIDNAPPING OR THE KILLING WAS THE MURDER  
11 OF A PEACE OFFICER OR A CORRECTIONS OFFICER..... 50 POINTS
- 12       (B) THE OFFENDER HAD UNPREMEDITATED INTENT TO  
13 KILL, THE INTENT TO DO GREAT BODILY HARM, OR CREATED A  
14 VERY HIGH RISK OF DEATH OR GREAT BODILY HARM KNOWING  
15 THAT DEATH OR GREAT BODILY HARM WAS THE PROBABLE  
16 RESULT..... 25 POINTS
- 17       (C) THE OFFENDER HAD INTENT TO INJURE OR THE KIL-  
18 LING WAS COMMITTED IN AN EXTREME EMOTIONAL STATE  
19 CAUSED BY AN ADEQUATE PROVOCATION AND BEFORE A REASON-  
20 ABLE AMOUNT OF TIME ELAPSED FOR THE OFFENDER TO CALM  
21 OR THERE WAS GROSS NEGLIGENCE AMOUNTING TO AN UNREA-  
22 SONABLE DISREGARD FOR LIFE..... 10 POINTS
- 23       (D) THE OFFENDER HAD NO INTENT TO KILL OR INJURE.    0 POINTS
- 24       (2) ALL OF THE FOLLOWING APPLY TO SCORING OFFENSE VARIABLE  
25 6.

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1 (A) THE SENTENCING JUDGE SHALL SCORE THIS VARIABLE  
2 CONSISTENT WITH A JURY VERDICT UNLESS THE JUDGE HAS INFORMATION  
3 THAT WAS NOT PRESENTED TO THE JURY.

4 (B) SCORE 10 POINTS IF A KILLING IS INTENTIONAL WITHIN THE  
5 DEFINITION OF SECOND DEGREE MURDER OR VOLUNTARY MANSLAUGHTER, BUT  
6 THE DEATH OCCURRED IN A COMBATIVE SITUATION OR IN RESPONSE TO  
7 VICTIMIZATION OF THE OFFENDER BY THE DECEDENT.

8 SEC. 37. (1) OFFENSE VARIABLE 7 IS AGGRAVATED PHYSICAL  
9 ABUSE. SCORE OFFENSE VARIABLE 7 BY DETERMINING WHICH OF THE FOL-  
10 LOWING APPLY AND BY ASSIGNING THE NUMBER OF POINTS ATTRIBUTABLE  
11 TO THE ONE THAT HAS THE HIGHEST NUMBER OF POINTS:

12 (A) A VICTIM WAS TREATED WITH TERRORISM, SADISM,  
13 TORTURE, OR EXCESSIVE BRUTALITY..... 50 POINTS

14 (B) NO VICTIM WAS TREATED WITH TERRORISM, SADISM,  
15 TORTURE, OR EXCESSIVE BRUTALITY..... 0 POINTS

16 (2) AS USED IN THIS SECTION:

17 (A) "TERRORISM" MEANS CONDUCT DESIGNED TO SUBSTANTIALLY  
18 INCREASE THE FEAR AND ANXIETY A VICTIM SUFFERS DURING THE  
19 OFFENSE.

20 (B) "SADISM" MEANS CONDUCT THAT SUBJECTS A VICTIM TO EXTREME  
21 OR PROLONGED PAIN OR HUMILIATION AND IS INFLICTED TO PRODUCE SUF-  
22 FERING OR FOR THE OFFENDER'S GRATIFICATION.

23 SEC. 38. (1) OFFENSE VARIABLE 8 IS VICTIM ASPORTATION OR  
24 CAPTIVITY. SCORE OFFENSE VARIABLE 8 BY DETERMINING WHICH OF THE  
25 FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF POINTS ATTRIBUT-  
26 ABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF POINTS:

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1 (A) A VICTIM WAS ASPORTED TO ANOTHER PLACE OF  
2 GREATER DANGER OR TO A SITUATION OF GREATER DANGER OR  
3 WAS HELD CAPTIVE BEYOND THE TIME NECESSARY TO COMMIT  
4 THE OFFENSE..... 15 POINTS

5 (B) NO VICTIM WAS ASPORTED OR HELD CAPTIVE..... 0 POINTS

6 (2) ALL OF THE FOLLOWING APPLY TO SCORING OFFENSE VARIABLE  
7 8:

8 (A) COUNT EACH PERSON WHO WAS PLACED IN DANGER OF INJURY OR  
9 LOSS OF LIFE AS A VICTIM.

10 (B) SCORE 0 POINTS IF THE SENTENCING OFFENSE IS KIDNAPPING.

11 SEC. 39. (1) OFFENSE VARIABLE 9 IS NUMBER OF VICTIMS.

12 SCORE OFFENSE VARIABLE 9 BY DETERMINING WHICH OF THE FOLLOWING  
13 APPLY AND BY ASSIGNING THE NUMBER OF POINTS ATTRIBUTABLE TO THE  
14 ONE THAT HAS THE HIGHEST NUMBER OF POINTS:

15 (A) MULTIPLE DEATHS OCCURRED..... 100 POINTS

16 (B) THERE WERE 10 OR MORE VICTIMS..... 25 POINTS

17 (C) THERE WERE 2 TO 9 VICTIMS..... 10 POINTS

18 (D) THERE WERE FEWER THAN 2 VICTIMS..... 0 POINTS

19 (2) ALL OF THE FOLLOWING APPLY TO SCORING OFFENSE VARIABLE  
20 9:

21 (A) COUNT EACH PERSON WHO WAS PLACED IN DANGER OF INJURY OR  
22 LOSS OF LIFE AS A VICTIM.

23 (B) SCORE 100 POINTS ONLY IN HOMICIDE CASES.

24 SEC. 40. (1) OFFENSE VARIABLE 10 IS EXPLOITATION OF A VUL-

25 NERABLE VICTIM. SCORE OFFENSE VARIABLE 10 BY DETERMINING WHICH

26 OF THE FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF POINTS

27 ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF POINTS:

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- 1 (A) PREDATORY CONDUCT WAS INVOLVED..... 15 POINTS
- 2 (B) THE OFFENDER EXPLOITED A VICTIM'S PHYSICAL
- 3 DISABILITY, MENTAL DISABILITY, YOUTH OR AGEDNESS, OR A
- 4 DOMESTIC RELATIONSHIP, OR THE OFFENDER ABUSED HIS OR
- 5 HER AUTHORITY STATUS..... 10 POINTS
- 6 (C) THE OFFENDER EXPLOITED A VICTIM BY HIS OR HER
- 7 DIFFERENCE IN SIZE OR STRENGTH, OR BOTH, OR EXPLOITED
- 8 A VICTIM WHO WAS INTOXICATED, UNDER THE INFLUENCE OF
- 9 DRUGS, ASLEEP, OR UNCONSCIOUS..... 5 POINTS
- 10 (D) THE OFFENDER DID NOT EXPLOIT A VICTIM'S
- 11 VULNERABILITY..... 0 POINTS
- 12 (2) THE MERE EXISTENCE OF 1 OR MORE FACTORS DESCRIBED IN
- 13 SUBSECTION (1) DOES NOT AUTOMATICALLY EQUATE WITH VICTIM
- 14 VULNERABILITY.
- 15 (3) AS USED IN THIS SECTION:
- 16 (A) "PREDATORY CONDUCT" MEANS PREEFFENSE CONDUCT DIRECTED AT
- 17 A VICTIM FOR THE PRIMARY PURPOSE OF VICTIMIZATION.
- 18 (B) "EXPLOIT" MEANS TO MANIPULATE A VICTIM FOR SELFISH OR
- 19 UNETHICAL PURPOSES.
- 20 (C) "VULNERABILITY" MEANS THE READILY APPARENT SUSCEPTIBIL-
- 21 ITY OF A VICTIM TO INJURY, PHYSICAL RESTRAINT, PERSUASION, OR
- 22 TEMPTATION.
- 23 (D) "ABUSE OF AUTHORITY STATUS" MEANS A VICTIM WAS EXPLOITED
- 24 OUT OF FEAR OR DEFERENCE TO AN AUTHORITY FIGURE, INCLUDING, BUT
- 25 NOT LIMITED TO, A PARENT, PHYSICIAN, OR TEACHER.
- 26 SEC. 41. (1) OFFENSE VARIABLE 11 IS CRIMINAL SEXUAL
- 27 PENETRATION. SCORE OFFENSE VARIABLE 11 BY DETERMINING WHICH OF

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1 THE FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF POINTS  
2 ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF POINTS:  
3 (A) TWO OR MORE CRIMINAL SEXUAL PENETRATIONS  
4 OCCURRED..... 50 POINTS  
5 (B) ONE CRIMINAL SEXUAL PENETRATION OCCURRED..... 25 POINTS  
6 (C) NO CRIMINAL SEXUAL PENETRATION OCCURRED..... 0 POINTS  
7 (2) ALL OF THE FOLLOWING APPLY TO SCORING OFFENSE VARIABLE  
8 11:  
9 (A) SCORE ALL SEXUAL PENETRATIONS OF THE VICTIM BY THE  
10 OFFENDER ARISING OUT OF THE SENTENCING OFFENSE.  
11 (B) MULTIPLE SEXUAL PENETRATIONS OF THE VICTIM BY THE  
12 OFFENDER EXTENDING BEYOND THE SENTENCING OFFENSE MAY BE SCORED IN  
13 OFFENSE VARIABLES 12 OR 13.  
14 (C) DO NOT SCORE POINTS FOR THE 1 PENETRATION THAT FORMS THE  
15 BASIS OF A FIRST- OR THIRD-DEGREE CRIMINAL SEXUAL CONDUCT  
16 OFFENSE.  
17 SEC. 42. (1) OFFENSE VARIABLE 12 IS CONTEMPORANEOUS FELONI-  
18 OUS CRIMINAL ACTS. SCORE OFFENSE VARIABLE 12 BY DETERMINING  
19 WHICH OF THE FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF  
20 POINTS ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF  
21 POINTS:  
22 (A) THREE OR MORE CONTEMPORANEOUS FELONIOUS CRIM-  
23 INAL ACTS INVOLVING CRIMES AGAINST A PERSON WERE  
24 COMMITTED..... 25 POINTS  
25 (B) TWO CONTEMPORANEOUS FELONIOUS CRIMINAL ACTS  
26 INVOLVING CRIMES AGAINST A PERSON WERE COMMITTED..... 10 POINTS

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- 1 (C) THREE OR MORE CONTEMPORANEOUS FELONIOUS  
2 CRIMINAL ACTS INVOLVING OTHER CRIMES WERE COMMITTED... 10 POINTS  
3 (D) ONE CONTEMPORANEOUS FELONIOUS CRIMINAL ACT  
4 INVOLVING A CRIME AGAINST A PERSON WAS COMMITTED..... 5 POINTS  
5 (E) TWO CONTEMPORANEOUS FELONIOUS CRIMINAL ACTS  
6 INVOLVING OTHER CRIMES WERE COMMITTED..... 5 POINTS  
7 (F) ONE CONTEMPORANEOUS FELONIOUS CRIMINAL ACT  
8 INVOLVING ANY OTHER CRIME WAS COMMITTED..... 1 POINT  
9 (G) NO CONTEMPORANEOUS FELONIOUS CRIMINAL ACTS  
10 WERE COMMITTED..... 0 POINTS  
11 (2) ALL OF THE FOLLOWING APPLY TO SCORING OFFENSE VARIABLE  
12 12:  
13 (A) A FELONIOUS CRIMINAL ACT IS CONTEMPORANEOUS IF BOTH OF  
14 THE FOLLOWING CIRCUMSTANCES EXIST:  
15 (i) THE ACT OCCURRED WITHIN 24 HOURS OF THE SENTENCING  
16 OFFENSE.  
17 (ii) THE ACT HAS NOT AND WILL NOT RESULT IN A SEPARATE  
18 CONVICTION.  
19 (B) A VIOLATION OF SECTION 227B OF THE MICHIGAN PENAL CODE,  
20 1931 PA 328, MCL 750.227B, SHOULD NOT BE CONSIDERED FOR SCORING  
21 THIS VARIABLE.  
22 (C) DO NOT SCORE CONDUCT SCORED IN OFFENSE VARIABLE 11.  
23 SEC. 43. (1) OFFENSE VARIABLE 13 IS CONTINUING PATTERN OF  
24 CRIMINAL BEHAVIOR. SCORE OFFENSE VARIABLE 13 BY DETERMINING  
25 WHICH OF THE FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF  
26 POINTS ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF  
27 POINTS:

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- 1 (A) THE OFFENSE WAS PART OF A PATTERN OF  
2 FELONIOUS CRIMINAL ACTIVITY INVOLVING 3 OR MORE CRIMES  
3 AGAINST A PERSON..... 25 POINTS
- 4 (B) THE OFFENSE WAS PART OF A PATTERN OF FELONI-  
5 OUS CRIMINAL ACTIVITY INVOLVING A COMBINATION OF 3 OR  
6 MORE CRIMES AGAINST A PERSON OR PROPERTY..... 10 POINTS
- 7 (C) THE OFFENSE WAS PART OF A PATTERN OF FELONI-  
8 OUS CRIMINAL ACTIVITY DIRECTLY RELATED TO MEMBERSHIP  
9 IN AN ORGANIZED CRIMINAL GROUP..... 10 POINTS
- 10 (D) THE OFFENSE WAS PART OF A PATTERN OF FELONI-  
11 OUS CRIMINAL ACTIVITY INVOLVING 3 OR MORE CRIMES  
12 AGAINST PROPERTY..... 25 POINTS
- 13 (E) NO PATTERN OF FELONIOUS CRIMINAL ACTIVITY  
14 EXISTED..... 0 POINTS
- 15 (2) ALL OF THE FOLLOWING APPLY TO SCORING OFFENSE VARIABLE  
16 13:
- 17 (A) FOR DETERMINING THE APPROPRIATE POINTS UNDER THIS VARI-  
18 ABLE, ALL CRIMES WITHIN A 5-YEAR PERIOD, INCLUDING THE SENTENCING  
19 OFFENSE, SHALL BE COUNTED REGARDLESS OF WHETHER THE OFFENSE  
20 RESULTED IN A CONVICTION.
- 21 (B) THE PRESENCE OR ABSENCE OF MULTIPLE OFFENDERS, THE AGE  
22 OF THE OFFENDERS, OR THE DEGREE OF SOPHISTICATION OF THE ORGA-  
23 NIZED CRIMINAL GROUP IS NOT AS IMPORTANT AS THE FACT OF THE  
24 GROUP'S EXISTENCE, WHICH MAY BE REASONABLY INFERRED FROM THE  
25 FACTS SURROUNDING THE SENTENCING OFFENSE.

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1 (C) EXCEPT FOR OFFENSES RELATED TO MEMBERSHIP IN AN  
2 ORGANIZED CRIMINAL GROUP, DO NOT SCORE CONDUCT SCORED IN OFFENSE  
3 VARIABLE 11 OR 12.

4 SEC. 44. (1) OFFENSE VARIABLE 14 IS THE OFFENDER'S ROLE.  
5 SCORE OFFENSE VARIABLE 14 BY DETERMINING WHICH OF THE FOLLOWING  
6 APPLY AND BY ASSIGNING THE NUMBER OF POINTS ATTRIBUTABLE TO THE  
7 ONE THAT HAS THE HIGHEST NUMBER OF POINTS:

8 (A) THE OFFENDER WAS A LEADER IN A MULTIPLE  
9 OFFENDER SITUATION..... 10 POINTS

10 (B) THE OFFENDER WAS NOT A LEADER IN A MULTIPLE  
11 OFFENDER SITUATION..... 0 POINTS

12 (2) ALL OF THE FOLLOWING APPLY TO SCORING OFFENSE VARIABLE  
13 14:

14 (A) THE ENTIRE CRIMINAL TRANSACTION SHOULD BE CONSIDERED  
15 WHEN SCORING THIS VARIABLE.

16 (B) IF 3 OR MORE OFFENDERS WERE INVOLVED, MORE THAN 1  
17 OFFENDER MAY BE DETERMINED TO HAVE BEEN A LEADER.

18 SEC. 45. (1) OFFENSE VARIABLE 15 IS AGGRAVATED CONTROLLED  
19 SUBSTANCE OFFENSES. SCORE OFFENSE VARIABLE 15 BY DETERMINING  
20 WHICH OF THE FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF  
21 POINTS ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF  
22 POINTS:

23 (A) THE OFFENSE INVOLVED THE SALE OR DELIVERY OF  
24 A CONTROLLED SUBSTANCE OTHER THAN MARIHUANA OR A MIX-  
25 TURE CONTAINING A CONTROLLED SUBSTANCE OTHER THAN MAR-  
26 IHUANA BY THE OFFENDER WHO WAS 18 YEARS OF AGE OR

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- 1 OLDER TO A MINOR WHO WAS 3 OR MORE YEARS YOUNGER THAN  
2 THE OFFENDER..... 25 POINTS
- 3 (B) THE OFFENSE INVOLVED THE SALE, DELIVERY, OR  
4 POSSESSION WITH INTENT TO SELL OR DELIVER 225 GRAMS OR  
5 MORE OF A CONTROLLED SUBSTANCE CLASSIFIED IN SCHEDULE  
6 1 OR 2 OR A MIXTURE CONTAINING A CONTROLLED SUBSTANCE  
7 CLASSIFIED IN SCHEDULE 1 OR 2..... 20 POINTS
- 8 (C) THE OFFENSE INVOLVED THE SALE, DELIVERY, OR  
9 POSSESSION WITH INTENT TO SELL OR DELIVER 50 OR MORE  
10 GRAMS BUT LESS THAN 225 GRAMS OF A CONTROLLED SUB-  
11 STANCE CLASSIFIED IN SCHEDULE 1 OR 2, OR A MIXTURE  
12 CONTAINING A CONTROLLED SUBSTANCE CLASSIFIED IN SCHED-  
13 ULE 1 OR 2..... 15 POINTS
- 14 (D) THE OFFENSE INVOLVED THE SALE, DELIVERY, OR  
15 POSSESSION WITH INTENT TO SELL OR DELIVER 45 KILOGRAMS  
16 OR MORE OF MARIHUANA OR 200 OR MORE OF MARIHUANA  
17 PLANTS..... 10 POINTS
- 18 (E) THE OFFENSE INVOLVED THE DELIVERY OR POSSES-  
19 SION WITH INTENT TO DELIVER MARIHUANA OR ANY OTHER  
20 CONTROLLED SUBSTANCE OR A COUNTERFEIT CONTROLLED SUB-  
21 STANCE OR POSSESSION OF CONTROLLED SUBSTANCES OR COUN-  
22 TERFEIT CONTROLLED SUBSTANCES HAVING A VALUE OR UNDER  
23 SUCH CIRCUMSTANCES AS TO INDICATE TRAFFICKING..... 5 POINTS
- 24 (F) THE OFFENSE WAS NOT AN OFFENSE DESCRIBED IN  
25 SUBDIVISION (A) THROUGH (E)..... 0 POINTS
- 26 (2) AS USED IN THIS SECTION:

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1 (A) "DELIVER" MEANS THE ACTUAL OR CONSTRUCTIVE TRANSFER OF A  
2 CONTROLLED SUBSTANCE FROM 1 INDIVIDUAL TO ANOTHER REGARDLESS OF  
3 REMUNERATION.

4 (B) "MINOR" MEANS AN INDIVIDUAL 17 YEARS OF AGE OR LESS.

5 (C) "TRAFFICKING" MEANS THE SALE OR DELIVERY OF CONTROLLED  
6 SUBSTANCES OR COUNTERFEIT CONTROLLED SUBSTANCES ON A CONTINUING  
7 BASIS TO 1 OR MORE OTHER INDIVIDUALS FOR FURTHER DISTRIBUTION.

8 SEC. 46. (1) OFFENSE VARIABLE 16 IS PROPERTY OBTAINED, DAM-  
9 AGED, LOST, OR DESTROYED. SCORE OFFENSE VARIABLE 16 BY DETERMIN-  
10 ING WHICH OF THE FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF  
11 POINTS ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF  
12 POINTS:

13 (A) WANTON OR MALICIOUS DAMAGE OCCURRED BEYOND  
14 THAT NECESSARY TO COMMIT THE CRIME FOR WHICH THE  
15 OFFENDER IS NOT CHARGED AND WILL NOT BE CHARGED..... 10 POINTS

16 (B) THE PROPERTY HAD A VALUE OF MORE THAN  
17 \$20,000.00 OR HAD SIGNIFICANT HISTORICAL, SOCIAL, OR  
18 SENTIMENTAL VALUE..... 10 POINTS

19 (C) THE PROPERTY DESTROYED HAD A VALUE OF  
20 \$1,000.00 OR MORE BUT NOT MORE THAN \$20,000.00..... 5 POINTS

21 (D) THE PROPERTY DESTROYED HAD A VALUE OF \$200.00  
22 OR MORE BUT NOT MORE THAN \$1,000.00..... 1 POINT

23 (E) NO PROPERTY WAS OBTAINED, DAMAGED, LOST, OR  
24 DESTROYED OR THE PROPERTY HAD A VALUE OF LESS THAN  
25 \$200.00..... 0 POINTS

26 (2) ALL OF THE FOLLOWING APPLY TO SCORING OFFENSE VARIABLE  
27 16:

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1 (A) IN MULTIPLE OFFENDER OR VICTIM CASES, THE APPROPRIATE  
2 POINTS MAY BE DETERMINED BY ADDING TOGETHER THE AGGREGATE VALUE  
3 OF THE PROPERTY INVOLVED, INCLUDING PROPERTY INVOLVED IN  
4 UNCHARGED OFFENSES OR CHARGES DISMISSED UNDER A PLEA AGREEMENT.

5 (B) IN CASES IN WHICH THE PROPERTY WAS OBTAINED UNLAWFULLY,  
6 LOST TO THE LAWFUL OWNER, OR DESTROYED, USE THE VALUE OF THE  
7 PROPERTY IN SCORING THIS VARIABLE. IF THE PROPERTY WAS DAMAGED,  
8 USE THE MONETARY AMOUNT APPROPRIATE TO RESTORE THE PROPERTY TO  
9 PRE-OFFENSE CONDITION IN SCORING THIS VARIABLE.

10 (C) THE AMOUNT OF MONEY OR PROPERTY INVOLVED IN ADMITTED BUT  
11 UNCHARGED OFFENSES OR IN CHARGES THAT HAVE BEEN DISMISSED UNDER A  
12 PLEA AGREEMENT MAY BE CONSIDERED.

13 SEC. 47. (1) OFFENSE VARIABLE 17 IS DEGREE OF NEGLIGENCE  
14 EXHIBITED. SCORE OFFENSE VARIABLE 17 BY DETERMINING WHICH OF THE  
15 FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF POINTS ATTRIBUT-  
16 ABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF POINTS:

17 (A) THE OFFENDER SHOWED A WANTON OR RECKLESS DIS-  
18 REGARD FOR THE LIFE OR PROPERTY OF ANOTHER PERSON..... 10 POINTS

19 (B) THE OFFENDER FAILED TO SHOW THE DEGREE OF  
20 CARE THAT A PERSON OF ORDINARY PRUDENCE IN A SIMILAR  
21 SITUATION WOULD HAVE SHOWN..... 5 POINTS

22 (C) THE OFFENDER WAS NOT NEGLIGENT..... 0 POINTS

23 (2) DO NOT SCORE 10 POINTS IF POINTS ARE GIVEN IN OFFENSE  
24 VARIABLE 6.

25 SEC. 48. (1) OFFENSE VARIABLE 18 IS OPERATOR ABILITY  
26 AFFECTED BY ALCOHOL OR DRUGS. SCORE OFFENSE VARIABLE 18 BY  
27 DETERMINING WHICH OF THE FOLLOWING APPLY AND BY ASSIGNING THE

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1 NUMBER OF POINTS ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST

2 NUMBER OF POINTS:

3 (A) THE OFFENDER OPERATED A VEHICLE WHEN HIS OR  
4 HER BODILY ALCOHOL CONTENT WAS 0.20 GRAMS OR MORE PER  
5 100 MILLILITERS OF BLOOD, PER 210 LITERS OF BREATH, OR  
6 PER 67 MILLILITERS OF URINE..... 20 POINTS

7 (B) THE OFFENDER OPERATED A VEHICLE WHEN HIS OR  
8 HER BODILY ALCOHOL CONTENT WAS 0.15 GRAMS OR MORE BUT  
9 LESS THAN 0.20 GRAMS PER 100 MILLILITERS OF BLOOD, PER  
10 210 LITERS OF BREATH, OR PER 67 MILLILITERS OF URINE.. 15 POINTS

11 (C) THE OFFENDER OPERATED A VEHICLE WHEN HIS OR  
12 HER BODILY ALCOHOL CONTENT WAS 0.10 GRAMS OR MORE BUT  
13 LESS THAN 0.15 GRAMS PER 100 MILLILITERS OF BLOOD, PER  
14 210 LITERS OF BREATH, OR PER 67 MILLILITERS OF URINE,  
15 OR WHILE HE OR SHE WAS UNDER THE INFLUENCE OF INTOXI-  
16 CATING LIQUOR OR A CONTROLLED SUBSTANCE OR A COMBINA-  
17 TION OF INTOXICATING LIQUOR AND A CONTROLLED SUBSTANCE 10 POINTS

18 (D) THE OFFENDER OPERATED A VEHICLE WHEN HIS OR  
19 HER BODILY ALCOHOL CONTENT WAS 0.07 GRAMS OR MORE BUT  
20 LESS THAN 0.10 GRAMS PER 100 MILLILITERS OF BLOOD, PER  
21 210 LITERS OF BREATH, OR PER 67 MILLILITERS OF URINE,  
22 OR WHILE HE OR SHE WAS VISIBLY IMPAIRED BY THE USE OF  
23 INTOXICATING LIQUOR AND A CONTROLLED SUBSTANCE OR A  
24 COMBINATION OF INTOXICATING LIQUOR OR A CONTROLLED  
25 SUBSTANCE, OR WAS LESS THAN 21 YEAR OF AGE AND HAD ANY  
26 BODILY ALCOHOL CONTENT..... 5 POINTS

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1 (E) THE OFFENDER'S ABILITY TO OPERATE A VEHICLE  
2 WAS NOT AFFECTED BY AN INTOXICATING LIQUOR OR A  
3 CONTROLLED SUBSTANCE OR A COMBINATION OF INTOXICATING  
4 LIQUOR AND A CONTROLLED SUBSTANCE..... 0 POINTS

5 (2) AS USED IN THIS SECTION, "ANY BODILY ALCOHOL CONTENT"  
6 MEANS EITHER OF THE FOLLOWING:

7 (A) AN ALCOHOL CONTENT OF NOT LESS THAN 0.02 GRAMS OR MORE  
8 THAN 0.07 GRAMS PER 100 MILLILITERS OF BLOOD, PER 210 LITERS OF  
9 BREATH, OR PER 67 MILLILITERS OF URINE.

10 (B) ANY PRESENCE OF ALCOHOL WITHIN AN INDIVIDUAL'S BODY  
11 RESULTING FROM THE CONSUMPTION OF INTOXICATING LIQUOR OTHER THAN  
12 THE CONSUMPTION OF INTOXICATING LIQUOR AS PART OF A GENERALLY  
13 RECOGNIZED RELIGIOUS SERVICE OR CEREMONY.

14 SEC. 49. OFFENSE VARIABLE 19 IS THREAT TO THE SECURITY OF A  
15 PENAL INSTITUTION OR COURT OR INTERFERENCE WITH THE ADMINISTRA-  
16 TION OF JUSTICE. SCORE OFFENSE VARIABLE 19 BY DETERMINING WHICH  
17 OF THE FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF POINTS  
18 ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF POINTS:

19 (A) THE OFFENDER BY HIS OR HER CONDUCT THREATENED  
20 THE SECURITY OF A PENAL INSTITUTION OR COURT..... 25 POINTS

21 (B) THE OFFENDER USED FORCE OR THE THREAT OF  
22 FORCE AGAINST ANOTHER PERSON OR THE PROPERTY OF  
23 ANOTHER PERSON TO INTERFERE WITH OR ATTEMPT TO INTER-  
24 FERE WITH THE ADMINISTRATION OF JUSTICE..... 15 POINTS

25 (C) THE OFFENDER OTHERWISE INTERFERED WITH OR  
26 ATTEMPTED TO INTERFERE WITH THE ADMINISTRATION OF  
27 JUSTICE..... 10 POINTS

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1 (D) THE OFFENDER DID NOT THREATEN THE SECURITY OF  
2 A PENAL INSTITUTION OR COURT OR INTERFERE WITH OR  
3 ATTEMPT TO INTERFERE WITH THE ADMINISTRATION OF  
4 JUSTICE..... 0 POINTS

5 PART 5

6 PRIOR RECORD VARIABLES

7 SEC. 50. (1) IN SCORING PRIOR RECORD VARIABLES 1 TO 5, DO  
8 NOT USE ANY CONVICTION OR JUVENILE ADJUDICATION THAT PRECEDES A  
9 PERIOD OF 10 OR MORE YEARS BETWEEN THE DISCHARGE DATE FROM A CON-  
10 VICTION OR JUVENILE ADJUDICATION AND THE DEFENDANT'S COMMISSION  
11 OF THE NEXT OFFENSE RESULTING IN A CONVICTION OR JUVENILE  
12 ADJUDICATION.

13 (2) APPLY SUBSECTION (1) BY DETERMINING THE TIME BETWEEN THE  
14 DISCHARGE DATE FOR THE PRIOR CONVICTION OR JUVENILE ADJUDICATION  
15 MOST RECENTLY PRECEDING THE COMMISSION DATE OF THE SENTENCING  
16 OFFENSE. IF IT IS 10 OR MORE YEARS, DO NOT USE THAT PRIOR CON-  
17 VICTION OR JUVENILE ADJUDICATION AND ANY EARLIER CONVICTION OR  
18 JUVENILE ADJUDICATION IN SCORING PRIOR RECORD VARIABLES. IF IT  
19 IS LESS THAN 10 YEARS, USE THAT PRIOR CONVICTION OR JUVENILE  
20 ADJUDICATION IN SCORING PRIOR RECORD VARIABLES AND DETERMINE THE  
21 TIME BETWEEN THE COMMISSION DATE OF THAT PRIOR CONVICTION AND THE  
22 DISCHARGE DATE OF THE NEXT EARLIER PRIOR CONVICTION OR JUVENILE  
23 ADJUDICATION. IF THAT PERIOD IS 10 OR MORE YEARS, DO NOT USE  
24 THAT PRIOR CONVICTION OR JUVENILE ADJUDICATION AND ANY EARLIER  
25 CONVICTION OR JUVENILE ADJUDICATION IN SCORING PRIOR RECORD  
26 VARIABLES. IF IT IS LESS THAN 10 YEARS, USE THAT PRIOR  
27 CONVICTION OR JUVENILE ADJUDICATION IN SCORING PRIOR RECORD

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1 VARIABLES AND REPEAT THIS DETERMINATION FOR EACH REMAINING PRIOR  
2 CONVICTION OR JUVENILE ADJUDICATION UNTIL A PERIOD OF 10 OR MORE  
3 YEARS IS FOUND OR NO PRIOR CONVICTIONS OR JUVENILE ADJUDICATIONS  
4 REMAIN.

5 (3) IF A DISCHARGE DATE IS NOT AVAILABLE, ADD EITHER THE  
6 TIME DEFENDANT WAS SENTENCED TO PROBATION OR THE LENGTH OF THE  
7 MINIMUM INCARCERATION TERM TO THE DATE OF THE CONVICTION AND USE  
8 THAT DATE AS THE DISCHARGE DATE.

9 (4) AS USED IN THIS PART:

10 (A) "CONVICTION" INCLUDES ANY OF THE FOLLOWING:

11 (i) ASSIGNMENT TO YOUTHFUL TRAINEE STATUS UNDER SECTIONS 11  
12 TO 15 OF CHAPTER II.

13 (ii) A CONVICTION SET ASIDE UNDER 1965 PA 213, MCL 780.621  
14 TO 780.624.

15 (B) "DISCHARGE DATE" MEANS THE DATE AN INDIVIDUAL IS DIS-  
16 CHARGED FROM THE JURISDICTION OF THE COURT OR THE DEPARTMENT OF  
17 CORRECTIONS AFTER BEING CONVICTED OF OR ADJUDICATED RESPONSIBLE  
18 FOR A CRIME OR AN ACT THAT WOULD BE A CRIME IF COMMITTED BY AN  
19 ADULT.

20 (C) "JUVENILE ADJUDICATION" INCLUDES AN ADJUDICATION SET  
21 ASIDE UNDER SECTION 18E OF CHAPTER XIIA OF 1939 PA 288, MCL  
22 712A.18E, OR EXPUNGED.

23 SEC. 51. (1) PRIOR RECORD VARIABLE 1 IS PRIOR HIGH SEVERITY  
24 FELONY CONVICTIONS. SCORE PRIOR RECORD VARIABLE 1 BY DETERMINING  
25 WHICH OF THE FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF  
26 POINTS ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF  
27 POINTS:

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- 1 (A) THE OFFENDER HAS 3 OR MORE PRIOR HIGH  
2 SEVERITY FELONY CONVICTIONS..... 75 POINTS  
3 (B) THE OFFENDER HAS 2 PRIOR HIGH SEVERITY FELONY  
4 CONVICTIONS..... 50 POINTS  
5 (C) THE OFFENDER HAS 1 PRIOR HIGH SEVERITY FELONY  
6 CONVICTION..... 25 POINTS  
7 (D) THE OFFENDER HAS NO PRIOR HIGH SEVERITY  
8 FELONY CONVICTIONS..... 0 POINTS  
9 (2) AS USED IN THIS SECTION, "PRIOR HIGH SEVERITY FELONY  
10 CONVICTION" MEANS A CONVICTION FOR A CRIME LISTED IN OFFENSE  
11 CLASS M2, A, B, C, OR D OR FOR A FELONY UNDER A LAW OF THE UNITED  
12 STATES OR ANOTHER STATE CORRESPONDING TO A CRIME LISTED IN  
13 OFFENSE CLASS M2, A, B, C, OR D, IF THE CONVICTION WAS ENTERED  
14 BEFORE THE SENTENCING OFFENSE WAS COMMITTED.  
15 SEC. 52. (1) PRIOR RECORD VARIABLE 2 IS PRIOR LOW SEVERITY  
16 FELONY CONVICTIONS. SCORE PRIOR RECORD VARIABLE 2 BY DETERMINING  
17 WHICH OF THE FOLLOWING APPLY AND BY ASSIGNING THE NUMBER OF  
18 POINTS ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF  
19 POINTS:  
20 (A) THE OFFENDER HAS 4 OR MORE PRIOR LOW SEVERITY  
21 FELONY CONVICTIONS..... 30 POINTS  
22 (B) THE OFFENDER HAS 3 PRIOR LOW SEVERITY FELONY  
23 CONVICTIONS..... 20 POINTS  
24 (C) THE OFFENDER HAS 2 PRIOR LOW SEVERITY FELONY  
25 CONVICTIONS..... 10 POINTS  
26 (D) THE OFFENDER HAS 1 PRIOR LOW SEVERITY FELONY  
27 CONVICTION..... 5 POINTS

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1 (E) THE OFFENDER HAS NO PRIOR LOW SEVERITY FELONY  
2 CONVICTIONS..... 0 POINTS

3 (2) AS USED IN THIS SECTION, "PRIOR LOW SEVERITY FELONY  
4 CONVICTION" MEANS A CONVICTION FOR A CRIME LISTED IN OFFENSE  
5 CLASS E, F, G, OR H OR FOR A FELONY UNDER A LAW OF THE UNITED  
6 STATES OR ANOTHER STATE THAT CORRESPONDS TO A CRIME LISTED IN  
7 OFFENSE CLASS E, F, G, OR H, IF THE CONVICTION WAS ENTERED BEFORE  
8 THE SENTENCING OFFENSE WAS COMMITTED.

9 SEC. 53. (1) PRIOR RECORD VARIABLE 3 IS PRIOR HIGH SEVERITY  
10 JUVENILE ADJUDICATIONS. SCORE PRIOR RECORD VARIABLE 3 BY DETER-  
11 MINING WHICH OF THE FOLLOWING APPLY AND BY ASSIGNING THE NUMBER  
12 OF POINTS ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF  
13 POINTS:

14 (A) THE OFFENDER HAS 3 OR MORE PRIOR HIGH SEVER-  
15 ITY JUVENILE ADJUDICATIONS..... 50 POINTS

16 (B) THE OFFENDER HAS 2 PRIOR HIGH SEVERITY JUVE-  
17 NILE ADJUDICATIONS..... 25 POINTS

18 (C) THE OFFENDER HAS 1 PRIOR HIGH SEVERITY JUVE-  
19 NILE ADJUDICATION..... 10 POINTS

20 (D) THE OFFENDER HAS NO PRIOR HIGH SEVERITY JUVE-  
21 NILE ADJUDICATIONS..... 0 POINTS

22 (2) AS USED IN THIS SECTION, "PRIOR HIGH SEVERITY JUVENILE  
23 ADJUDICATION" MEANS A JUVENILE ADJUDICATION FOR CONDUCT THAT  
24 WOULD BE A CRIME LISTED IN OFFENSE CLASS M2, A, B, C, OR D IF  
25 COMMITTED BY AN ADULT OR FOR CONDUCT THAT WOULD BE A FELONY UNDER  
26 A LAW OF THE UNITED STATES OR ANOTHER STATE CORRESPONDING TO A  
27 CRIME LISTED IN OFFENSE CLASS M2, A, B, C, OR D IF COMMITTED BY

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1 AN ADULT, IF THE ORDER OF DISPOSITION WAS ENTERED BEFORE THE  
2 SENTENCING OFFENSE WAS COMMITTED.

3 SEC. 54. (1) PRIOR RECORD VARIABLE 4 IS PRIOR LOW SEVERITY  
4 JUVENILE ADJUDICATIONS. SCORE PRIOR RECORD VARIABLE 4 BY DETER-  
5 MINING WHICH OF THE FOLLOWING APPLY AND BY ASSIGNING THE NUMBER  
6 OF POINTS ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF  
7 POINTS:

8 (A) THE OFFENDER HAS 6 OR MORE PRIOR LOW SEVERITY  
9 JUVENILE ADJUDICATIONS..... 20 POINTS

10 (B) THE OFFENDER HAS 4 OR 5 PRIOR LOW SEVERITY  
11 JUVENILE ADJUDICATIONS..... 10 POINTS

12 (C) THE OFFENDER HAS 2 OR 3 PRIOR LOW SEVERITY  
13 JUVENILE ADJUDICATIONS..... 5 POINTS

14 (D) THE OFFENDER HAS 1 PRIOR LOW SEVERITY JUVE-  
15 NILE ADJUDICATION..... 2 POINTS

16 (F) THE OFFENDER HAS NO PRIOR LOW SEVERITY JUVE-  
17 NILE ADJUDICATIONS..... 0 POINTS

18 (2) AS USED IN THIS SECTION, "PRIOR LOW SEVERITY JUVENILE  
19 ADJUDICATION" MEANS A JUVENILE ADJUDICATION FOR CONDUCT THAT  
20 WOULD BE A CRIME LISTED IN OFFENSE CLASS E, F, G, OR H IF COMMIT-  
21 TED BY AN ADULT OR FOR CONDUCT THAT WOULD BE A FELONY UNDER A LAW  
22 OF THE UNITED STATES OR ANOTHER STATE CORRESPONDING TO A CRIME  
23 LISTED IN OFFENSE CLASS E, F, G, OR H IF COMMITTED BY AN ADULT,  
24 IF THE ORDER OF DISPOSITION WAS ENTERED BEFORE THE SENTENCING  
25 OFFENSE WAS COMMITTED.

26 SEC. 55. (1) PRIOR RECORD VARIABLE 5 IS PRIOR MISDEMEANOR  
27 CONVICTIONS OR PRIOR MISDEMEANOR JUVENILE ADJUDICATIONS. SCORE

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- 1 PRIOR RECORD VARIABLE 5 BY DETERMINING WHICH OF THE FOLLOWING  
2 APPLY AND BY ASSIGNING THE NUMBER OF POINTS ATTRIBUTABLE TO THE  
3 ONE THAT HAS THE HIGHEST NUMBER OF POINTS:
- 4 (A) THE OFFENDER HAS 7 OR MORE PRIOR MISDEMEANOR  
5 CONVICTIONS OR PRIOR MISDEMEANOR JUVENILE  
6 ADJUDICATIONS..... 20 POINTS
- 7 (B) THE OFFENDER HAS 5 OR 6 PRIOR MISDEMEANOR  
8 CONVICTIONS OR PRIOR MISDEMEANOR JUVENILE  
9 ADJUDICATIONS..... 15 POINTS
- 10 (C) THE OFFENDER HAS 3 OR 4 PRIOR MISDEMEANOR  
11 CONVICTIONS OR PRIOR MISDEMEANOR JUVENILE  
12 ADJUDICATIONS..... 10 POINTS
- 13 (D) THE OFFENDER HAS 2 PRIOR MISDEMEANOR CONVIC-  
14 TIONS OR PRIOR MISDEMEANOR JUVENILE ADJUDICATIONS..... 5 POINTS
- 15 (E) THE OFFENDER HAS 1 PRIOR MISDEMEANOR CONVIC-  
16 TION OR PRIOR MISDEMEANOR JUVENILE ADJUDICATION..... 2 POINTS
- 17 (F) THE OFFENDER HAS NO PRIOR MISDEMEANOR CONVIC-  
18 TIONS OR PRIOR MISDEMEANOR JUVENILE ADJUDICATIONS..... 0 POINTS
- 19 (2) ALL OF THE FOLLOWING APPLY TO SCORING RECORD VARIABLE  
20 5:
- 21 (A) EXCEPT AS PROVIDED IN SUBDIVISION (B), COUNT A PRIOR  
22 MISDEMEANOR CONVICTION OR PRIOR MISDEMEANOR JUVENILE ADJUDICATION  
23 ONLY IF IT IS A CRIME AGAINST A PERSON OR PROPERTY, A CONTROLLED  
24 SUBSTANCE CRIME, OR A WEAPON OFFENSE ENUMERATED IN CHAPTER XXXVII  
25 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.222 TO  
26 750.239A. DO NOT COUNT A PRIOR CONVICTION USED TO ENHANCE THE  
27 SENTENCING OFFENSE TO A FELONY.

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1 (B) COUNT ALL PRIOR MISDEMEANOR CONVICTIONS AND PRIOR  
2 MISDEMEANOR JUVENILE ADJUDICATIONS FOR OPERATING A VEHICLE,  
3 VESSEL, AIRCRAFT, OR LOCOMOTIVE WHILE UNDER THE INFLUENCE OF OR  
4 IMPAIRED BY ALCOHOL, A CONTROLLED SUBSTANCE, OR A COMBINATION OF  
5 ALCOHOL AND A CONTROLLED SUBSTANCE. DO NOT COUNT A PRIOR CONVIC-  
6 TION USED TO ENHANCE THE SENTENCING OFFENSE TO A FELONY.

7 (3) AS USED IN THIS SECTION:

8 (A) "PRIOR MISDEMEANOR CONVICTION" MEANS A CONVICTION FOR A  
9 MISDEMEANOR UNDER A LAW OF THIS STATE, A POLITICAL SUBDIVISION OF  
10 THIS STATE, ANOTHER STATE, A POLITICAL SUBDIVISION OF ANOTHER  
11 STATE, OR THE UNITED STATES IF THE CONVICTION WAS ENTERED BEFORE  
12 THE SENTENCING OFFENSE WAS COMMITTED.

13 (B) "PRIOR MISDEMEANOR JUVENILE ADJUDICATION" MEANS A JUVE-  
14 NILE ADJUDICATION FOR CONDUCT THAT IF COMMITTED BY AN ADULT WOULD  
15 BE A MISDEMEANOR UNDER A LAW OF THIS STATE, A POLITICAL SUBDIVI-  
16 SION OF THIS STATE, ANOTHER STATE, A POLITICAL SUBDIVISION OF  
17 ANOTHER STATE, OR THE UNITED STATES IF THE ORDER OF DISPOSITION  
18 WAS ENTERED BEFORE THE SENTENCING OFFENSE WAS COMMITTED.

19 SEC. 56. (1) PRIOR RECORD VARIABLE 6 IS RELATIONSHIP TO THE  
20 CRIMINAL JUSTICE SYSTEM. SCORE PRIOR RECORD VARIABLE 6 BY DETER-  
21 MINING WHICH OF THE FOLLOWING APPLY AND BY ASSIGNING THE NUMBER  
22 OF POINTS ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST NUMBER OF  
23 POINTS:

24 (A) THE OFFENDER IS A PRISONER OF THE DEPARTMENT  
25 OF CORRECTIONS OR SERVING A SENTENCE IN JAIL..... 20 POINTS

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- 1 (B) THE OFFENDER IS INCARCERATED IN JAIL AWAITING  
2 ADJUDICATION OR SENTENCING ON A CONVICTION OR  
3 PROBATION VIOLATION..... 15 POINTS
- 4 (C) THE OFFENDER IS ON PAROLE, PROBATION, OR  
5 DELAYED SENTENCE STATUS OR ON BOND AWAITING ADJUDICA-  
6 TION OR SENTENCING FOR A FELONY..... 10 POINTS
- 7 (D) THE OFFENDER IS ON PROBATION OR DELAYED SEN-  
8 TENCE STATUS OR ON BOND AWAITING ADJUDICATION OR SEN-  
9 TENCING FOR A MISDEMEANOR..... 5 POINTS
- 10 (E) THE OFFENDER HAS NO RELATIONSHIP TO THE CRIM-  
11 INAL JUSTICE SYSTEM..... 0 POINTS
- 12 (2) SCORE THE APPROPRIATE POINTS UNDER THIS SECTION IF THE  
13 OFFENDER IS INVOLVED WITH THE CRIMINAL JUSTICE SYSTEM IN ANOTHER  
14 STATE OR UNITED STATES.
- 15 (3) AS USED IN THIS SECTION:
- 16 (A) "DELAYED SENTENCE STATUS" INCLUDES, BUT IS NOT LIMITED  
17 TO, AN INDIVIDUAL ASSIGNED OR DEFERRED UNDER ANY OF THE  
18 FOLLOWING:
- 19 (i) SECTION 7411 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL  
20 333.7411.
- 21 (ii) SECTION 350A OF THE MICHIGAN PENAL CODE, 1931 PA 328,  
22 MCL 750.350A.
- 23 (iii) SECTIONS 11 TO 15 OF CHAPTER II.
- 24 (iv) SECTION 4A OF CHAPTER IX.
- 25 (B) "PRISONER OF THE DEPARTMENT OF CORRECTIONS OR SERVING A  
26 SENTENCE IN JAIL" INCLUDES AN INDIVIDUAL WHO IS AN ESCAPEE.

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1 SEC. 57. (1) PRIOR RECORD VARIABLE 7 IS SUBSEQUENT OR  
2 CONCURRENT FELONY CONVICTIONS. SCORE PRIOR RECORD VARIABLE 7 BY  
3 DETERMINING WHICH OF THE FOLLOWING APPLY AND BY ASSIGNING THE  
4 NUMBER OF POINTS ATTRIBUTABLE TO THE ONE THAT HAS THE HIGHEST  
5 NUMBER OF POINTS:

6 (A) THE OFFENDER HAS 2 OR MORE SUBSEQUENT OR CON-  
7 CURRENT CONVICTIONS..... 20 POINTS

8 (B) THE OFFENDER HAS 1 SUBSEQUENT OR CONCURRENT  
9 CONVICTION..... 10 POINTS

10 (C) THE OFFENDER HAS NO SUBSEQUENT OR CONCURRENT  
11 CONVICTIONS..... 0 POINTS

12 (2) ALL OF THE FOLLOWING APPLY TO SCORING RECORD VARIABLE  
13 7:

14 (A) SCORE THE APPROPRIATE POINT VALUE IF THE OFFENDER WAS  
15 CONVICTED OF MULTIPLE FELONY COUNTS OR WAS CONVICTED OF A FELONY  
16 AFTER THE SENTENCING OFFENSE WAS COMMITTED.

17 (B) DO NOT SCORE A FELONY FIREARM CONVICTION IN THIS  
18 VARIABLE.

19 (C) DO NOT SCORE A CONCURRENT FELONY CONVICTION IF A CONSEC-  
20 UTIVE SENTENCE WILL RESULT FROM THAT CONVICTION.

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1

PART 6

2

SENTENCING GRIDS

3

SEC. 61. THE FOLLOWING ARE THE MINIMUM SENTENCE RANGES FOR

4 CLASS M2:

5

PRIOR RECORD VARIABLE LEVEL

6

A

B

C

D

E

F

7

0

1-9

10-24

25-49

50-74

75+

8

POINTS

POINTS

POINTS

POINTS

POINTS

POINTS

9

OFFENSE

10

VARIABLE

11

LEVEL

12

I

13

0-49

86-143

137-228

154-257

171-285

214-356

257-428

14

POINTS

OR LIFE

OR LIFE

OR LIFE

15

II

16

50-99

137-228

154-257

171-285

214-356

257-428

299-499

17

POINTS

OR LIFE

OR LIFE

OR LIFE

OR LIFE

18

III

19

100+

154-257

171-285

214-356

257-428

299-499

347-570

20

POINTS

OR LIFE

OR LIFE

OR LIFE

OR LIFE

OR LIFE

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1 SEC. 62. THE FOLLOWING ARE THE MINIMUM SENTENCE RANGES FOR  
2 CLASS A:

		PRIOR RECORD VARIABLE LEVEL					
		A	B	C	D	E	F
		0	1-9	10-24	25-49	50-74	75+
		POINTS	POINTS	POINTS	POINTS	POINTS	POINTS
7	OFFENSE						
8	VARIABLE						
9	LEVEL						
10	I						
11	0-19	18-33	23-43	36-67	43-81	69-128	92-171
12	POINTS						
13	II						
14	20-39	23-43	36-67	43-81	69-128	92-171	107-200
15	POINTS						
16	III						
17	40-59	36-67	43-81	69-128	92-171	107-200	115-214
18	POINTS						
19	IV						
20	60-79	43-81	69-128	92-171	107-200	115-214	145-271
21	POINTS						
22	V						
23	80-99	69-128	92-171	107-200	115-214	145-271	191-356
24	POINTS						OR LIFE
25	VI						
26	100+	92-171	107-200	115-214	145-271	191-356	230-428
27	POINTS					OR LIFE	OR LIFE

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1 SEC. 63. THE FOLLOWING ARE THE MINIMUM SENTENCE RANGES FOR  
2 CLASS B:

3		PRIOR RECORD VARIABLE LEVEL					
4		A	B	C	D	E	F
5		0	1-9	10-24	25-49	50-74	75+
6		POINTS	POINTS	POINTS	POINTS	POINTS	POINTS
7	OFFENSE						
8	VARIABLE						
9	LEVEL						
10	I						
11	0-9	0-17	10-19	20-38	31-57	43-81	61-114
12	POINTS						
13	II						
14	10-24	10-19	13-24	26-48	43-81	61-114	66-124
15	POINTS						
16	III						
17	25-34	13-24	18-33	31-57	48-90	66-124	71-133
18	POINTS						
19	IV						
20	35-49	18-33	20-38	38-71	61-114	71-133	74-138
21	POINTS						
22	V						
23	50-74	20-38	31-57	43-81	66-124	74-138	84-152
24	POINTS						
25	VI						
26	75+	31-57	38-71	48-90	71-133	84-152	99-152
27	POINTS						

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1 SEC. 64. THE FOLLOWING ARE THE MINIMUM SENTENCE RANGES FOR  
2 CLASS C:

3 PRIOR RECORD VARIABLE LEVEL

4	A	B	C	D	E	F
5	0	1-9	10-24	25-49	50-74	75+
6	POINTS	POINTS	POINTS	POINTS	POINTS	POINTS
7	OFFENSE					
8	VARIABLE					
9	LEVEL					
10	I					
11	0-9	0-11	0-17	10-19	13-24	20-38
12	POINTS					31-57
13	II					
14	10-24	0-17	5-17	13-24	20-38	31-57
15	POINTS					38-71
16	III					
17	25-34	10-19	13-24	20-38	31-57	38-71
18	POINTS					46-86
19	IV					
20	35-49	13-24	20-38	31-57	38-71	46-86
21	POINTS					54-100
22	V					
23	50-74	20-38	31-57	38-71	46-86	54-100
24	POINTS					61-114
25	VI					
26	75+	31-57	38-71	46-86	54-100	61-114
27	POINTS					66-114

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1 SEC. 65. THE FOLLOWING ARE THE MINIMUM SENTENCE RANGES FOR  
2 CLASS D:

3		PRIOR RECORD VARIABLE LEVEL					
4		A	B	C	D	E	F
5		0	1-9	10-24	25-49	50-74	75+
6		POINTS	POINTS	POINTS	POINTS	POINTS	POINTS
7	OFFENSE						
8	VARIABLE						
9	LEVEL						
10	I						
11	0-9	0-6	0-9	0-11	0-17	5-23	10-23
12	POINTS						
13	II						
14	10-24	0-9	0-11	0-17	5-23	10-23	20-38
15	POINTS						
16	III						
17	25-34	0-11	0-17	5-23	10-23	20-38	31-57
18	POINTS						
19	IV						
20	35-49	0-17	5-23	10-23	20-38	31-57	36-67
21	POINTS						
22	V						
23	50-74	5-23	10-23	20-38	31-57	36-67	41-76
24	POINTS						
25	VI						
26	75+	10-23	20-38	31-57	36-67	41-76	46-76
27	POINTS						

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1        SEC. 66.    THE FOLLOWING ARE THE MINIMUM SENTENCE RANGES FOR  
2 CLASS E:

3		PRIOR RECORD VARIABLE LEVEL					
4		A	B	C	D	E	F
5		0	1-9	10-24	25-49	50-74	75+
6		POINTS	POINTS	POINTS	POINTS	POINTS	POINTS
7	OFFENSE						
8	VARIABLE						
9	LEVEL						
10	I						
11	0-9	0-3	0-6	0-9	5-23	8-23	10-23
12	POINTS						
13	II						
14	10-24	0-6	0-9	0-11	8-23	10-23	13-24
15	POINTS						
16	III						
17	25-34	0-9	0-11	0-17	10-23	13-24	15-29
18	POINTS						
19	IV						
20	35-49	0-11	0-17	5-23	13-24	15-29	20-38
21	POINTS						
22	V						
23	50-74	0-14	5-23	8-23	15-29	20-38	23-38
24	POINTS						
25	VI						
26	75+	0-17	8-23	13-24	20-38	23-38	26-38
27	POINTS						

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1 SEC. 67. THE FOLLOWING ARE THE MINIMUM SENTENCE RANGES FOR  
2 CLASS F:

		PRIOR RECORD VARIABLE LEVEL					
		A	B	C	D	E	F
		0	1-9	10-24	25-49	50-74	75+
		POINTS	POINTS	POINTS	POINTS	POINTS	POINTS
7	OFFENSE						
8	VARIABLE						
9	LEVEL						
10	I						
11	0-9	0-3	0-6	0-9	3-17	5-23	10-23
12	POINTS						
13	II						
14	10-34	0-6	0-9	0-17	5-23	10-23	13-24
15	POINTS						
16	III						
17	35-74	0-9	0-17	3-17	10-23	13-24	15-29
18	POINTS						
19	IV						
20	75+	0-17	3-17	5-23	13-24	15-29	18-30
21	POINTS						

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1 SEC. 68. THE FOLLOWING ARE THE MINIMUM SENTENCE RANGES FOR  
2 CLASS G:

		PRIOR RECORD VARIABLE LEVEL					
		A	B	C	D	E	F
		0	1-9	10-24	25-49	50-74	75+
		POINTS	POINTS	POINTS	POINTS	POINTS	POINTS
7	OFFENSE						
8	VARIABLE						
9	LEVEL						
10	I						
11	0-9	0-3	0-6	0-9	0-11	0-17	3-17
12	POINTS						
13	II						
14	10-15	0-6	0-9	0-11	0-17	3-17	5-23
15	POINTS						
16	III						
17	16+	0-9	0-11	0-17	3-17	5-23	8-23
18	POINTS						

