

**SUBSTITUTE FOR  
HOUSE BILL NO. 5707**

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 411a (MCL 750.411a), as amended by 1996 PA  
303.

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

1       Sec. 411a. (1) Except as provided in subsection (2) OR (3),  
2 a person who intentionally makes a false report of the commission  
3 of a crime to a member of the Michigan state police, a sheriff or  
4 deputy sheriff, a police officer of a city or village, or any  
5 other peace officer of this state knowing the report is false is  
6 guilty of a crime as follows:  
7       (a) If the report is a false report of a misdemeanor, the  
8 person is guilty of a misdemeanor punishable by imprisonment for  
9 not more than 93 days or a fine of not more than \$100.00, or  
10 both.

**HB5707, As Passed House, June 17, 1998**

House Bill No. 5707

2

1 (b) If the report is a false report of a felony, the person  
2 is guilty of a felony punishable by the lesser of the following:

3 (i) The penalty for the felony falsely reported.

4 (ii) Imprisonment for not more than 4 years or a fine of not  
5 more than \$2,000.00, or both.

6 (2) If the false report of a crime relates to a bombing,  
7 attempted bombing, or threat to bomb and the report is intention-  
8 ally communicated to an individual described in subsection (1) or  
9 to any other person knowing the report is false, the person  
10 making the false report is guilty of a crime punishable by the  
11 lesser of the following:

12 (a) The penalty for the bombing, attempted bombing, or  
13 threat to bomb falsely reported.

14 (b) Imprisonment for not more than 4 years or a fine of not  
15 more than \$2,000.00, or both.

16 (3) A PERSON WHO INTENTIONALLY MAKES A FALSE REPORT OF THE  
17 COMMISSION OF A CRIME DESCRIBED IN SECTION 6(6)(G) OF THE STATE  
18 SCHOOL AID ACT OF 1979, 1979 PA 94, MCL 388.1606, KNOWING THE  
19 REPORT TO BE FALSE FOR THE PURPOSE OF HAVING A PUPIL COUNTED IN  
20 MEMBERSHIP IN A SCHOOL DISTRICT UNDER THAT SECTION IS GUILTY OF A  
21 FELONY AND SHALL BE PUNISHED BY A FINE OF NOT MORE THAN THE  
22 AMOUNT OF THE FOUNDATION ALLOWANCE FOR THE SCHOOL DISTRICT OF  
23 RESIDENCE OF THE PUPIL ALLEGED TO BE THE VICTIM OF THE CRIME AS  
24 CALCULATED UNDER SECTION 20 OF THE STATE SCHOOL AID ACT OF 1979,  
25 1979 PA 94, MCL 388.1620, AND IN ADDITION THE PERSON MAY BE  
26 IMPRISONED FOR NOT MORE THAN 4 YEARS OR THE MAXIMUM TERM OF  
27 IMPRISONMENT FOR THE CRIME FALSELY REPORTED, WHICHEVER IS LESS.

**HB5707, As Passed House, June 17, 1998**

House Bill No. 5707

3

1       (4) IF A PERSON INTENTIONALLY MAKES A FALSE REPORT OF THE  
2 COMMISSION OF A CRIME DESCRIBED IN SECTION 6(6)(G) OF THE STATE  
3 SCHOOL AID ACT OF 1979, 1979 PA 94, MCL 388.1606, KNOWING THE  
4 REPORT TO BE FALSE FOR THE PURPOSE OF HAVING A PUPIL COUNTED IN  
5 MEMBERSHIP IN A SCHOOL DISTRICT UNDER THAT SECTION, IF THE PUPIL  
6 IS COUNTED IN MEMBERSHIP IN THAT SCHOOL DISTRICT, AND IF THE  
7 PERSON SUBSEQUENTLY WITHDRAWS THE REPORT OR COMPLAINT OF THE  
8 CRIME, THE PERSON IS GUILTY OF A MISDEMEANOR AND SHALL BE PUN-  
9 IShed BY A FINE OF NOT MORE THAN THE AMOUNT OF THE FOUNDATION  
10 ALLOWANCE FOR THE SCHOOL DISTRICT OF RESIDENCE OF THE PUPIL  
11 ALLEGED TO BE THE VICTIM OF THE CRIME, AS CALCULATED UNDER  
12 SECTION 20 OF THE STATE SCHOOL AID ACT OF 1979, 1979 PA 94, MCL  
13 388.1620, AND IN ADDITION THE PERSON MAY BE IMPRISONED FOR NOT  
14 MORE THAN 93 DAYS.

15       (5) AS PART OF THE RESTITUTION ORDERED UNDER SECTION 30 OF  
16 CHAPTER XIIIA OF 1939 PA 288, MCL 712A.30, SECTION 16, 44, OR 76  
17 OF THE CRIME VICTIM'S RIGHTS ACT, 1985 PA 87, MCL 780.766,  
18 780.794, AND 780.826, OR SECTION 1A OF CHAPTER IX OF THE CODE OF  
19 CRIMINAL PROCEDURE, 1927 PA 175, MCL 769.1A, THE COURT MAY ORDER  
20 A PERSON CONVICTED OF VIOLATING SUBSECTION (3) OR (4) TO PAY THE  
21 PUPIL'S SCHOOL DISTRICT OF RESIDENCE AN AMOUNT THAT IS NOT MORE  
22 THAN THE STATE SCHOOL AID THAT DISTRICT WOULD HAVE RECEIVED  
23 ATTRIBUTABLE TO THE PUPIL IF THE PUPIL HAD BEEN COUNTED IN MEM-  
24 BERSHIP IN HIS OR HER SCHOOL DISTRICT OF RESIDENCE.

25       Enacting section 1. This amendatory act does not take  
26 effect unless Senate Bill No. 689 of the 89th Legislature is  
27 enacted into law.