

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 825**

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 34 of chapter IX and sections 11, 12, 13, 15,
16c, 16d, 16f, 16h, 16i, 16k, 16l, 16p, 16r, 16s, 16t, 16v, 16x, 16z,
17, 31, 43, 46, and 48 of chapter XVII (MCL 769.34, 777.11,
777.12, 777.13, 777.15, 777.16c, 777.16d, 777.16f, 777.16h,
777.16i, 777.16k, 777.16l, 777.16p, 777.16r, 777.16s, 777.16t, 777.16v,
777.16x, 777.16z, 777.17, 777.31, 777.43, 777.46, and 777.48),
section 34 of chapter IX as amended and sections 11, 12, 13, 15,
16c, 16d, 16f, 16h, 16i, 16k, 16l, 16p, 16r, 16s, 16t, 16v, 16x, 16z,
17, 31, 43, 46, and 48 of chapter XVII as added by 1998 PA 317.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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2

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CHAPTER IX

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Sec. 34. (1) The sentencing guidelines promulgated by order of the Michigan supreme court AND RESCINDED BY SUPREME COURT ADMINISTRATIVE ORDER 1998-2 SHALL CONTINUE TO APPLY TO FELONIES COVERED BY THOSE GUIDELINES AND COMMITTED BEFORE DECEMBER 15, 1998 AND shall not apply to felonies enumerated in part 2 of chapter XVII committed on or after ~~January 1, 1999~~ DECEMBER 15, 1998.

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(2) Except as otherwise provided in this subsection or for a departure from the appropriate minimum sentence range provided for under subsection (3), the minimum sentence imposed by a court of this state for a felony enumerated in part 2 of chapter XVII committed on or after ~~January 1, 1999~~ DECEMBER 15, 1998 shall be within the appropriate sentence range under the version of those sentencing guidelines in effect on the date the crime was committed. Both of the following apply to minimum sentences under this subsection:

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(a) If a statute mandates a minimum sentence, the court shall impose sentence in accordance with that statute. Imposing a mandatory minimum sentence OR A SENTENCE THAT EXCEEDS THE RECOMMENDED SENTENCE RANGE BUT IS LESS THAN THE MANDATORY MINIMUM SENTENCE is not a departure under this section.

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(b) The court shall not impose a minimum sentence, including a departure, that exceeds 2/3 of the statutory maximum sentence.

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(3) A court may depart from the appropriate sentence range established under the sentencing guidelines set forth in chapter XVII if the court has a substantial and compelling reason for

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1 that departure and states on the record the reasons for
2 departure. All of the following apply to a departure:

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

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

14 (4) Intermediate sanctions shall be imposed under this chap-
15 ter as follows:

16 (a) If the upper limit of the recommended minimum sentence
17 range for a defendant determined under the sentencing guidelines
18 set forth in chapter XVII is 18 months or less, the court shall
19 impose an intermediate sanction unless the court states on the
20 record a substantial and compelling reason to sentence the indi-
21 vidual to the jurisdiction of the department of corrections. An
22 intermediate sanction may include a jail term that does not
23 exceed the upper limit of the recommended minimum sentence range
24 or 12 months, whichever is less.

25 (b) If the offense is a violation of section 7401(2)(a)(iv)
26 or 7403(2)(a)(iv) of the public health code, 1978 PA 368, MCL
27 333.7401 and 333.7403, and the upper limit of the recommended

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1 minimum sentence range is 18 months or less, the court shall
2 impose a sentence of life probation absent a departure.

3 (c) If an attempt to commit a felony designated in offense
4 class H in part 2 of this chapter is punishable by imprisonment
5 for more than 1 year, the court shall impose an intermediate
6 sanction upon conviction of that offense absent a departure.

7 (d) If the upper limit of the recommended minimum sentence
8 exceeds 18 months and the lower limit of the recommended minimum
9 sentence is 12 months or less, the court shall sentence the
10 offender as follows absent a departure:

11 (i) To imprisonment with a minimum term within that range.

12 (ii) To an intermediate sanction that may include a term of
13 imprisonment of not [~~less than the minimum range or~~] more than 12
14 months.

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

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

23 (7) If the trial court imposes on a defendant a minimum sen-
24 tence that is longer or more severe than the appropriate sentence
25 range, as part of the court's advice of the defendant's rights
26 concerning appeal, the court shall advise the defendant orally
27 and in writing that he or she may appeal the sentence as provided

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1 by law on grounds that it is longer or more severe than the
2 appropriate sentence range.

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

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

6 (b) The presentence investigation report. Any portion of
7 the presentence investigation report exempt from disclosure by
8 law shall not be a public record.

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

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

13 (10) If a minimum sentence is within the appropriate guide-
14 lines sentence range, the court of appeals shall affirm that sen-
15 tence and shall not remand for resentencing absent an error in
16 scoring the sentencing guidelines or inaccurate information
17 relied upon in determining the defendant's sentence. A party
18 shall not raise on appeal an issue challenging the scoring of the
19 sentencing guidelines or challenging the accuracy of information
20 relied upon in determining a sentence that is within the appro-
21 priate guidelines sentence range unless the party has raised the
22 issue at sentencing, in a proper motion for resentencing, or in a
23 proper motion to remand filed in the court of appeals.

24 (11) If, upon a review of the record, the court of appeals
25 finds the trial court did not have a substantial and compelling
26 reason for departing from the appropriate sentence range, the

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1 court shall remand the matter to the sentencing judge or another
 2 trial court judge for resentencing under this chapter.

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

[(13) NOT LATER THAN DECEMBER 31, 1999 AND NOT LATER THAN DECEMBER
 31 OF EACH YEAR AFTER THAT, THE LEGISLATURE SHALL ENACT A SINGLE AMENDATORY
 ACT THAT ADDS ALL OF THE FOLLOWING TO PART 2 OF CHAPTER XVII IF THEY ARE
 NOT ENUMERATED IN PART 2 OF CHAPTER XVII:

(A) ANY FELONY ENACTED INTO LAW DURING THAT CALENDAR YEAR.

(B) ANY EXISTING CRIME REVISED TO BECOME A FELONY AND ENACTED INTO
 LAW DURING THAT CALENDAR YEAR.]

5 CHAPTER XVII

6 Sec. 11. This chapter applies to the following felonies
 7 enumerated in chapters 1 to 199 of the Michigan Compiled Laws:

8 M.C.L.	Category	Class	Description	Stat	Max
9 4.421(1)	Pub trst	G	Lobbyists -- compensation con-		
10			tingent on outcome of action	3	
11 4.421(2)	Pub trst	G	Lobbyists giving gifts		3
12 18.366(1)	Property	E	False presentation to crime		
13			victim services commission		
14			to obtain more than \$100	10	
15 18.1268(9)	Pub trst	H	Purposefully submitting false		
16			business certification	Fine	
17 21.154	Pub trst	E	Public officer -- embezzlement		5
18 28.214(3)	PUB TRST	F	UNAUTHORIZED DISCLOSURE OF		
19			INFORMATION FROM LAW		
20			ENFORCEMENT INFORMATION NET-		
21			WORK -- SUBSEQUENT OFFENSE	4	
22 28.293(1)	Pub ord	E	False information when apply-		
23			ing for state ID	5	
24 28.293(2)	Pub ord	D	False information when apply-		
25			ing for state ID -- second		
26			offense	7	
27 28.293(3)	Pub ord	C	False information when apply-		
28			ing for state ID -- third or		
29			subsequent offense	15	
30 28.295(1)(a)	Pub ord	H	Forging state ID card to		
31			commit felony	4	
32 28.295(3)	Property	H	Using stolen state ID card to		
33			commit felony	variable	

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1	28.295a(1)	Pub ord	H	False representation to obtain	
2				or misuse personal	
3				information	4
4	28.295a(2)	Pub ord	G	False representation to obtain	
5				or misuse personal informa-	
6				tion -- second offense	7
7	28.295a(3)	Pub ord	C	False representation to obtain	
8				or misuse personal informa-	
9				tion -- third or subsequent	
10				offense	15
11	28.422	Pub saf	G	Pistols -- license application	
12				forgery	4
13	28.729	Pub ord	G	Sex offenders -- failure to	
14				register	4
15	35.929	Pub trst	H	Willful falsification in	
16				application for veterans	
17				benefits	3
18	35.980	Pub trst	H	False statement in application	
19				for Korean veterans benefits	3
20	35.1029	Pub trst	H	False statement in application	
21				for Vietnam veterans	
22				benefits	3
23	38.412a(1)	Pub trst	H	County employee providing	
24				answers to county civil	
25				service exam	1
26	38.516	Pub trst	H	Fire and police civil service	
27				-- appointment or employment	
28				contrary to act	2
29	45.82	Pub trst	E	County purchasing agent --	
30				violations in awarding bids	
31				or contracts	5
32	47.8	Pub trst	H	Payment of claim against	
33				county before audit	2
34	47.56	Pub trst	H	Wayne County treasurer paying	
35				claims without appropriate	
36				signature	2
37	51.364	Pub trst	H	Appointment or selection con-	
38				trary to civil service com-	
39				mission rules	2

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1	110.28	Pub trst	G	Fourth class cities --	
2				misappropriation of money or	
3				property	3
4	117.25(3)	Pub trst	E	Amendment to city electors --	
5				willfully affixing another's	
6				signature, false rep	15
7	125.1447	Property	G	Michigan state housing devel-	
8				opment authority -- false	
9				pretenses over \$100	10
10	168.731(4)	Pub trst	G	Election law -- filing certain	
11				false statements	2
12	168.734	Pub trst	G	Election law -- election board	
13				refusing to provide chal-	
14				lenger conveniences	2
15	168.756	Pub trst	E	Elector's false statement con-	
16				cerning inability to mark	
17				ballot	5
18	168.757	Pub trst	E	Election inspector -- unlawful	
19				conduct	5
20	168.759(8)	Pub trst	E	Forged signature on absentee	
21				ballot	5
22	168.759b	Pub trst	E	False statement in application	
23				for emergency absentee	
24				ballot	5
25	168.761(5)	Pub trst	E	Assisting an absentee voter in	
26				making a false statement	5
27	168.769(4)	Pub trst	E	Voting both in person and by	
28				absentee ballot	5
29	168.792a(11)	Pub trst	E	Disclosing how ballot voted or	
30				election results early	
31				before polls are closed	5
32	168.792a(16)	Pub trst	E	Disclosing election result or	
33				how ballot voted	5
34	168.808	Pub trst	E	Untrue statement by member of	
35				board of inspectors	4
36	168.873	Pub trst	E	Misconduct of election	
37				employee in recount-county	
38				and local	5

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1	168.887	Pub trst	E	Misconduct of election	
2				employee in recount	5
3	168.932(a)	Pub trst	E	Bribing or intimidating voters	5
4	168.932(b)	Pub trst	E	Ballot tampering	5
5	168.932(c)	Pub trst	E	Destroying or falsifying elec-	
6				tion return or records	5
7	168.932(d)	Pub trst	E	Disclosing votes or obstruct-	
8				ing voter	5
9	168.932(e)	Pub trst	E	Absentee ballot tampering	5
10	168.932(f)	Pub trst	E	Election law -- possess absent	
11				voter ballot delivered to	
12				another person	5
13	168.932(g)	Pub trst	E	Suggesting how a disabled	
14				voter should vote	5
15	168.932(h)	Pub trst	E	Suggesting or influencing how	
16				an absentee voter should	
17				vote	5
18	168.932(i)	Pub trst	E	Organizing a meeting where	
19				absentee voter ballots are	
20				to be voted	5
21	168.932a	Pub trst	G	Election offenses	4
22	168.933	Pub trst	E	False swearing to register or	
23				vote	5
24	168.936	Pub trst	E	Election law -- perjury	5
25	168.937	Pub trst	E	Election law -- forgery	5
26	169.254	Pub trst	H	Campaign finance -- corporate	
27				contributions	3
28	169.255	Pub trst	H	Campaign finance -- corporate	
29				solicitation for certain	
30				funds	3
31	169.266	Pub trst	H	Campaign finance -- qualified	
32				campaign expenditures	3

33 Sec. 12. This chapter applies to the following felonies
 34 enumerated in chapters 200 to 299 of the Michigan Compiled Laws:

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1	M.C.L.	Category	Class	Description	Stat	Max
2	205.27(1)(a)	Pub	trst	G	Failure to file or false tax return or payment	5
3						
4	205.27(1)(b)	Pub	trst	G	Aiding and abetting tax evasion or filing false returns	5
5						
6	205.27(1)(c)	Pub	trst	G	Making/permitting false tax returns or payments	5
7						
8	205.27(3)	Pub	trst	G	False tax returns/perjury	15
9	205.28	Pub	trst	G	Compromising/unauthorized disclosure of tax information	5
10						
11	205.28(1)(e)	Pub	trst	G	State employee compromising taxes	5
12						
13	205.28(1)(f)	Pub	trst	G	Unauthorized disclosure of tax information	5
14						
15	205.428(2)	Pub	trst	G	Tobacco products tax act violations	5
16						
17	207.118a	Pub	ord	G	Gasoline tax -- embezzlement over \$100	10
18						
19	207.119	Pub	trst	G	Gasoline or motor fuel tax violation	4
20						
21	207.127c	Pub	ord	G	Diesel fuel tax -- embezzlement over \$100	10
22						
23	207.754(3)	Pub	trst	G	State treasurer -- municipality tax -- divulging confidential information	5
24						
25						
26	257.233a(7)	Pub	ord	G	Odometer tampering	5
27	257.254	Property		E	Possessing stolen vehicle title	10
28						
29	257.257(1)	Property		G	Altering or forging vehicle documents -- first offense	5
30						
31	257.257(2)	Property		G	Altering or forging vehicle documents -- second offense	7
32						
33	257.257(3)	Property		E	Altering or forging vehicle documents -- third offense	15
34						

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1	257.329(1)	Property	G	Possession/sale of stolen or counterfeit insurance certificates	5
2					
3					
4	257.329(2)	Property	E	Possession/sale of stolen or counterfeit insurance certificates -- second offense	7
5					
6					
7	257.329(3)	Property	E	Possession/sale of stolen or counterfeit insurance certificates -- third offense	15
8					
9					
10	257.602a(2)	Pub saf	G	Fleeing and eluding -- fourth degree	2
11					
12	257.602a(3)	Pub saf	E	Fleeing and eluding -- third degree	5
13					
14	257.602a(4)	Person	D	Fleeing and eluding -- second degree	10
15					
16	257.602a(5)	Person	C	Fleeing and eluding -- first degree	15
17					
18	257.617	Person	E	Failure to stop at scene of a serious personal injury accident	5
19					
20					
21	257.625(4)	Person	C	OUIL -- causing death	15
22	257.625(5)	Person	E	OUIL -- causing serious impairment of body function	5
23					
24	257.625(7)(d)	Pub saf	E	OUIL -- third offense	5
25	257.625n(10)	Pub ord	G	Disposing of vehicle to avoid forfeiture	4
26					
27	257.744a	Pub saf	D	False statement in citation -- perjury	15
28					
29	257.902	Pub saf	E	Motor vehicle code violations	5
30	257.903(1)	Property	E	Motor vehicle code -- false certification -- first offense	5
31					
32					
33	257.903(2)	Property	E	Motor vehicle code -- false certification -- second offense	7
34					
35					
36	257.903(3)	Property	D	Motor vehicle code -- false certification -- third offense	15
37					
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1	257.1353(2)	Pub trst	H	Motor vehicle -- fail to	
2				record material matter --	
3				second offense	2
4	257.1354(2)	Pub trst	H	Motor vehicle -- general vio-	
5				lations -- second offense	2
6	257.1355	Pub trst	H	Motor vehicle -- fail to	
7				record transaction/falsify	
8				records	2
9	259.183	Property	E	Aircraft -- unlawful taking or	
10				tampering	5
11	259.185(8)	Pub saf	G	Aircraft -- OUIL -- third	
12				offense	5
13	285.82	Pub trst	H	Grain dealers act violations	5
14	285.279	Pub trst	E	Falsely obtaining money --	
15				agricultural land	10
16	286.455(2)	Pub saf	G	Agriculture -- hazardous	
17				substance	5
18	287.77(1)	Pub saf	H	Agriculture -- livestock	
19				condemnation	4
20	287.323(1)	Person	C	Dangerous animal causing death	15
21	287.323(2)	Person	G	Dangerous animal causing seri-	
22				ous injury	4
23	287.679	Pub ord	H	Dead animals	1
24	287.744(1)	Pub ord	G	Animal industry act violations	5
25	287.855	Pub saf	G	Agriculture -- contaminating	
26				livestock/false	
27				statement/violation of	
28				quarantine	5
29	288.223	Pub saf	G	Sale or labeling of oleomarga-	
30				rine violations	3
31	288.257	Pub saf	G	Margarine violations	3
32	288.284	Pub trst	H	Selling falsely branded cheese	2
33	289.710(2)	PUB SAF	G	FALSELY IDENTIFYING PLACE OF	
34				ORIGIN OF FOOD	4
35	290.629(1)	Person	G	Weights and measures --	
36				assaults enforcement officer	2

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1	290.631(3)	Pub trst	G	Weights and measures	5
2	290.650	Person	G	Motor fuels --	
3				assaulting/obstructing	
4				director or authorized	
5				representative	2
6	290.650b(3)	Pub trst	H	Motor fuels violations	2

7 Sec. 13. This chapter applies to the following felonies
 8 enumerated in chapters 300 to 399 of the Michigan Compiled Laws:

9	M.C.L.	Category	Class	Description	Stat Max
10	324.1608	Person	G	Resisting and obstructing con-	
11				servation officer	2
12	324.2157(3)	Property	H	State owned property -- dam-	
13				ages of \$1,000 or more	180 days
14	324.3115(2)	Pub saf	H	Waste discharge violations --	
15				second offense	2
16	324.5531(4)	Pub saf	H	Knowingly releasing pollutants	2
17	324.5531(5)	Pub saf	G	Knowingly releasing pollutants	
18				-- causing death or serious	
19				bodily injury	6
20	324.5531(6)	Pub saf	C	Knowingly releasing pollutants	
21				-- resulting in death or	
22				serious bodily injury	15
23	324.8905(2)	Pub saf	H	Infectious waste/pathological	
24				waste/sharps -- littering	
25				violation	2
26	324.8905(3)	Pub saf	G	Infectious waste/pathological	
27				waste/sharps -- littering	
28				violation -- second offense	5
29	324.11151(2)	Pub saf	H	Hazardous waste violations --	
30				second or subsequent offense	2
31	324.11151(3)	Pub saf	H	Hazardous waste violation --	
32				disregard for human life	2
33	324.11151(3)	Pub saf	G	Hazardous waste violation --	
34				extreme indifference for	
35				human life	5

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1	324.12116(2)	Pub saf	H	Waste -- false statement or entry in a license application	2
2					
3					
4	324.20139(3)	Pub saf	H	Hazardous waste -- knowingly releases or causes the release	2
5					
6					
7	324.21324(1)	Pub saf	G	Underground storage tanks -- false or misleading information	5
8					
9					
10	324.21548(1)	Pub trst	H	False statement, report, claim, bid, work invoice, or other request for payment	5
11					
12					
13	324.30316(3)	Pub saf	H	NREPA violation -- subsequent offense	2
14					
15	324.31525	Person	G	NREPA -- imminent danger of death or serious injury -- subsequent offense	2
16					
17					
18	324.33939(1)	Pub trst	H	NREPA violation for commercial purposes	2
19					
20	324.40118(11)	Pub ord	G	Wildlife conservation -- buying selling protected animals -- subsequent offense	4
21					
22					
23					
24	324.51120(2)	Property	H	Removing forest products over \$2,500	3
25					
26	324.51512	Pub saf	D	Willfully setting forest fires	10
27	324.61511	Pub trst	G	False affidavit under NREPA	5
28	324.61521(1)	Pub trst	G	Evading rule under NREPA	3
29	324.76107(4)	Pub trst	G	Recovering abandoned property in Great Lakes without permit	2
30					
31					
32	324.80130d(1)	Pub ord	H	False representation to obtain personal information	4
33					
34	324.80130d(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
35					
36					
37	324.80130d(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
38					
39					

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1 2	324.80172	Person	G	Negligent crippling or homicide by vessel	2
3 4	324.80173	Person	G	Felonious operation of a vessel	2
5 6	324.80176(4)	Person	C	Operating a vessel under the influence causing death	15
7 8 9	324.80176(5)	Person	E	Operating a vessel under the influence causing long-term incapacitating injury	5
10 11	324.80177(1)(c)	Pub saf	E	Operating a vessel under the influence -- third offense	5
12 13	324.80319a(1)	Pub ord	H	False representation to obtain personal information	4
14 15 16	324.80319a(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
17 18 19	324.80319a(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
20 21	324.81120(1)	Pub ord	H	False representation to obtain personal information	4
22 23 24	324.81120(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
25 26 27	324.81120(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
28 29	324.81134(6)	Pub saf	E	Operating an ORV under the influence -- third offense	4
30 31	324.82127(4)	Person	C	Operating a snowmobile under the influence causing death	15
32 33 34 35	324.82127(5)	Person	E	Operating a snowmobile under the influence causing long-term incapacitating injury	5
36 37 38	324.82128(1)(c)	Pub saf	E	Operating a snowmobile under the influence -- third offense	5

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1 2	324.82160(1)	Pub ord	H	False representation to obtain personal information	4
3 4 5	324.82160(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
6 7 8	324.82160(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
9 10	328.232	Property	E	Conversion of funeral contracts	5
11 12 13	333.2685	Person	E	Use of a live human embryo, fetus for nontherapeutic research	5
14 15 16	333.2688	Person	E	Research on dead embryo or fetus without mother's consent	5
17	333.2689	Person	E	Abortion to obtain embryo	5
18 19	333.2690	Person	E	Sale or delivery of fetus or embryo	5
20 21 22	333.2813(3)	PUB TRST	F	UNAUTHORIZED DISCLOSURE OF SOCIAL SECURITY NUMBER -- SUBSEQUENT OFFENSE	4
23 24	333.2835(9)	Pub trst	G	Disclosing confidential information -- abortion	3
25 26	333.5210	Person	F	AIDS -- sexual penetration with uninformed partner	4
27 28	333.5661	Person	F	Fraud resulting in patient death	4
29 30 31	333.7341(8)	CS	G	Delivery or manufacture or imitation controlled substance	2
32 33	333.7401(2)(a)(i)	CS	A	Delivery or manufacture of >649 grams by juvenile	Life
34 35	333.7401(2)(a)(iii)	CS	B	Delivery or manufacture of 50-224 grams	20
36 37	333.7401(2)(a)(iv)	CS	D	Delivery or manufacture of <50 grams	20

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1	333.7401(2)(b)	CS	E	Delivery or manufacture schedule 1/2/3 except marijuana	7
2					
3					
4	333.7401(2)(c)	CS	F	Delivery or manufacture sched- ule 4	4
5					
6	333.7401(2)(d)(i)	CS	C	Delivery or manufacture >45 kilos of marijuana	15
7					
8	333.7401(2)(d)(ii)	CS	D	Delivery or manufacture 5-45 kilos of marijuana	7
9					
10	333.7401(2)(d)(iii)	CS	F	Delivery or manufacture <5 kilos or 20 plants of marijuana	4
11					
12					
13	333.7401(2)(e)	CS	G	Delivery or manufacture sched- ule 5	2
14					
15	333.7401(2)(f)	CS	D	Delivery or manufacture offi- cial or counterfeit pre- scription form	20
16					
17					
18	333.7401(2)(g)	CS	D	Delivery or manufacture pre- scription or counterfeit form (other than official)	7
19					
20					
21	333.7401A	PERSON	B	DELIVERY WITH INTENT TO COMMIT CSC	20
22					
23	333.7402(2)(a)	CS	D	Delivery or manufacture imita- tion controlled substance	10
24					
25	333.7402(2)(b)	CS	E	Delivery or manufacture imita- tion controlled substance schedule 1/2/3	5
26					
27					
28	333.7402(2)(c)	CS	F	Delivery or manufacture imita- tion controlled substance schedule 4	4
29					
30					
31	333.7402(2)(d)	CS	G	Delivery or manufacture imita- tion controlled substance schedule 5	2
32					
33					
34	333.7402(2)(e)	CS	C	Delivery or manufacture analogue	15
35					
36	333.7403(2)(a)(i)	CS	A	Possession >649 grams by juvenile	Life
37					
38	333.7403(2)(a)(iii)	CS	B	Possession 50-224 grams	20

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1	333.7403(2)(a)(iv)	CS	G	Possession 25-49 grams	4
2	333.7403(2)(a)(v)	CS	G	Possession of <25 grams	4
3 4	333.7403(2)(b)	CS	G	Possession certain schedule 1/2/3/4 or analogue	2
5 6	333.7403(2)(e)	CS	H	Possession of official pre- scription form	1
7 8	333.7405(a)	CS	G	Controlled substance viola- tions by licensee	2
9 10	333.7405(b)	CS	G	Manufacturing or distribution violations by licensee	2
11	333.7405(c)	CS	G	Refusing lawful inspection	2
12	333.7405(d)	CS	G	Maintaining drug house	2
13 14	333.7407(1)(a)	CS	G	Controlled substance viola- tions by licensee	4
15 16	333.7407(1)(b)	CS	G	Use of fictitious, revoked, or suspended license number	4
17 18	333.7407(1)(c)	CS	G	Obtaining controlled substance by fraud	4
19 20	333.7407(1)(d)	CS	G	False reports under controlled substance article	4
21 22	333.7407(1)(e)	CS	G	Possession of counterfeiting implements	4
23 24	333.7407(1)(f)	CS	F	Disclosing or obtaining pre- scription information	4
25 26	333.7407(1)(g)	CS	F	Possession of counterfeit pre- scription form	4
27 28 29	333.7407(2)	CS	G	Refusing to furnish records under controlled substance article	4
30 31	333.7410A	CS	G	DELIVERY IN A PUBLIC OR PRI- VATE PARK	2
32 33	333.10204(1)	Pub ord	F	Transferring a human organ for valuable consideration	4
34 35	333.13738(2)	Pub saf	F	Waste disposal violations -- second offense	5

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1 2	333.13738(3)	Pub saf	F	Disposing of waste -- indifference to human life	2
3 4	333.13738(3)	Pub saf	B	Disposing of waste -- extreme indifference to human life	20
5 6 7	333.16170(3)	Pub trst	F	False representation -- health professional recovery program	4
8 9	333.16294	Pub saf	F	Health profession -- unauthorized practice	4
10 11	333.17766a(2)(a)	CS	F	Possession of steroids -- second offense	4
12 13	333.17766a(3)	CS	E	Delivery or manufacture of steroids	7
14	333.17766a(4)	CS	G	Delivery of imitation steroids	7
15	333.17766c(2)	CS	G	Possession >10 grams ephedrine	2
16 17	333.20142(5)	Pub trst	F	False statement -- application licensure health facility	4
18 19 20	333.21792	Pub trst	G	Nursing homes -- referral fees/bribing officials/accepting bribes	4
21 22 23	338.3434A(2)	PUB TRST	F	UNAUTHORIZED DISCLOSURE OF SOCIAL SECURITY NUMBER -- SUBSEQUENT OFFENSE	4
24 25 26	388.936	Pub trst	F	Knowingly making false statement -- school district loans	4
27 28 29	388.962	Pub trst	F	Knowingly making false statement -- school district loans	4
30	Sec. 15. This chapter applies to the following felonies				
31	enumerated in chapters 500 to 749 of the Michigan Compiled Laws:				
32	M.C.L.	Category	Class	Description	Stat Max
33 34 35	500.1325(3)	Pub trst	E	Insurance code -- knowingly misrepresenting false financial condition	5
36	500.1371	Pub trst	H	Holding companies -- violation	2

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1	500.1505(2)	Pub trst	C	Insurance code -- license and regulatory violations	15
2					
3	500.4511(1)	Pub trst	F	Insurance code -- fraudulent insurance act	4
4					
5	500.4511(2)	Pub trst	D	Insurance fraud -- agreement or conspiracy to commit	10
6					
7	500.5252(4)	Property	G	Insurance -- improper personal interest in transactions	5
8					
9	500.7034(2)	Pub trst	E	Officer of a MEWA knowingly receive valuables for sale property or loan	10
10					
11					
12	500.8197(2)	Pub trst	C	Insurance -- knowing or willful false statements in application for insurance	15
13					
14					
15	500.8197(3)	Property	E	Consolidation merger -- compensation otherwise than expressed in contract	5
16					
17					
18	551.6	Person	H	Marriage license -- mental or venereal disease	5
19					
20	551.102(2)	PUB TRST	F	UNAUTHORIZED DISCLOSURE OF SOCIAL SECURITY NUMBER -- SUBSEQUENT OFFENSE	4
21					
22					
23	554.836	Property	E	Real and property -- living care disclosure act	7
24					
25	565.371	Property	G	Fraudulent conveyances -- recording with intent to deceive	3
26					
27					
28	565.827	Pub trst	E	Land sales act -- false or fraudulent statement	10
29					
30	570.152	Property	G	Contractor -- fraudulent use of building contract fund	3
31					
32	570.1110	Property	F	Contractor -- false sworn statements over \$100	4
33					
34	570.1207	Property	G	Construction liens -- false information	4
35					
36	600.908(8)	Pub trst	E	Immunity to witness -- committing perjury	15
37					

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1	600.2136	Pub trst	E	Library record, book, paper --	
2				false certification in court	15
3	600.2907a	Property	G	Recording documents affecting	
4				property without lawful	
5				cause	3
6	600.2916	Pub saf	G	Revised judicature act --	
7				lethal gases for fumigation	4
8	600.8713	Pub trst	G	Revised judicature act --	
9				false statement by autho-	
10				rized local officials	15
11	600.8813	Pub trst	E	Law enforcement officer --	
12				knowingly making false	
13				statement in a citation	15
14	710.54(11)	Pub trst	F	Offer to give other considera-	
15				tion -- adoption -- subse-	
16				quent violation	4
17	710.55(1)	Pub trst	F	Adoption -- persons not autho-	
18				rized placing child -- sub-	
19				sequent violation	4
20	710.69	Person	F	Michigan adoption law --	
21				second offense	4
22	711.1(8)	Pub trst	E	Intentional false statement in	
23				petition for name change	15
24	722.633(5)(b)	Person	F	Intentional false report of	
25				child abuse constituting a	
26				felony	4
27	722.675	Pub ord	E	Distributing obscene matter to	
28				children	2
29	722.857	Person	E	Surrogate parenting act --	
30				contracts involving minors,	
31				mentally retarded, etc.	5
32	722.859(3)	Person	E	Surrogate parenting act --	
33				contracts for compensation	5

34 Sec. 16c. This chapter applies to the following felonies
 35 enumerated in chapter 750 of the Michigan Compiled Laws:

36	M.C.L.	Category	Class	Description	Stat Max
37	750.72	Person	B	Arson of a dwelling house	20

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1	750.73	Property	D	Arson of real property	10
2	750.74				
3	750.74(1)(C)	Person	F E	Arson of personal property greater than \$50 WITH VALUE OF \$1,000 TO \$20,000 OR WITH PRIOR CONVICTIONS	4 5
4					
5					
6					
7	750.74(1)(D)	PERSON	D	ARSON OF PERSONAL PROPERTY OVER \$20,000 OR WITH PRIOR CONVICTIONS	10
8					
9					
10	750.75	Property	D	Arson of insured property	10
11	750.77				
12	750.77(1)(C)	Person	F E	Preparing to burn personal property greater than \$50 WITH VALUE OF \$1,000 TO \$20,000 OR WITH PRIOR CONVICTIONS	4 5
13					
14					
15					
16					
17	750.77(1)(D)	PERSON	D	PREPARING TO BURN PERSONAL PROPERTY OVER \$20,000 OR WITH PRIOR CONVICTIONS	10
18					
19					
20	750.78	Pub saf	F	Arson of woods and prairies	4
21	750.79	Pub saf	F	Violating township rules con- cerning clearing of land and burning	4
22					
23					
24	750.80	Property	D	Arson of mines	Life
25	Sec. 16d. This chapter applies to the following felonies				
26	enumerated in chapter 750 of the Michigan Compiled Laws:				
27	M.C.L.	Category	Class	Description	Stat Max
28	750.81(4)	Person	G	Domestic assault -- third offense	2
29					
30	750.81a(3)	Person	G	Aggravated domestic assault -- second offense	2
31					
32	750.82(1)	Person	F	Felonious assault	4
33	750.82(2)	Person	F	Felonious assault -- weapon-free school zone	4
34					
35	750.83	Person	A	Assault with intent to murder	Life

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1	750.84	Person	D	Assault with intent to do	
2				great bodily harm less than	
3				murder	10
4	750.86	Person	D	Assault with intent to maim	10
5	750.87	Person	D	Assault with intent to commit	
6				a felony	10
7	750.88	Person	C	Assault with intent to commit	
8				unarmed robbery	15
9	750.89	Person	A	Assault with intent to commit	
10				armed robbery	Life
11	750.90	Person	D	Sexual intercourse under pre-	
12				text of medical treatment	10
13	750.90A	PERSON	A	ASSAULT AGAINST A PREGNANT	
14				INDIVIDUAL CAUSING MISCAR-	
15				RIAGE OR STILLBIRTH WITH	
16				INTENT OR RECKLESSNESS	LIFE
17	750.90B(A)	PERSON	C	ASSAULT AGAINST A PREGNANT	
18				INDIVIDUAL RESULTING IN MIS-	
19				CARRIAGE OR STILLBIRTH	15
20	750.90B(B)	PERSON	D	ASSAULT AGAINST A PREGNANT	
21				INDIVIDUAL RESULTING IN	
22				GREAT BODILY HARM TO THE	
23				EMBRYO OR FETUS	10
24	750.90C(A)	PERSON	C	GROSS NEGLIGENCE AGAINST A	
25				PREGNANT INDIVIDUAL RESULT-	
26				ING IN MISCARRIAGE OR	
27				STILLBIRTH	15
28	750.90C(B)	PERSON	E	GROSS NEGLIGENCE AGAINST A	
29				PREGNANT INDIVIDUAL RESULT-	
30				ING IN GREAT BODILY HARM TO	
31				THE EMBRYO OR FETUS	5
32	750.90D(A)	PERSON	C	DRUNKEN DRIVING INVOLVING AN	
33				ACCIDENT WITH A PREGNANT	
34				INDIVIDUAL CAUSING A MISCAR-	
35				RIAGE OR STILLBIRTH	15
36	750.90D(B)	PERSON	E	DRUNKEN DRIVING INVOLVING	
37				ACCIDENT WITH A PREGNANT	
38				INDIVIDUAL CAUSING INJURY TO	
39				THE EMBRYO OR FETUS	5
40	750.90E	PERSON	G	CARELESS OR RECKLESS DRIVING	
41				INVOLVING ACCIDENT WITH A	

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1 PREGNANT INDIVIDUAL CAUSING
 2 A MISCARRIAGE OR STILLBIRTH 2
 3 750.91 Person A Attempted murder Life

4 Sec. 16f. This chapter applies to the following felonies
 5 enumerated in chapter 750 of the Michigan Compiled Laws:

6	M.C.L.	Category	Class	Description	Stat	Max
7	750.110	Property	D	Breaking and entering with 8 intent to commit felony or 9 larceny		10
10	750.110a(4)	Person	B	Home invasion -- first degree		20
11	750.110a(5)	Person	C	Home invasion -- second degree		15
12	750.111	Property	E	Entering without breaking with 13 intent to commit felony or 14 larceny		5
15	750.112	Person	A	Burglary with explosives		Life
16	750.116	Property	E	Possession of burglar's tools		10
17	750.117	Pub trst	F	Bribing public officer		4
18	750.118	Pub trst	D	Public officer accepting bribe		10
19	750.119	Pub trst	F	Bribing jurors and others		4
20	750.120	Pub trst	F	Jurors and others accepting 21 bribes		4
22	750.121	Pub trst	F	Bribing public officers to 23 influence contract		4
24	750.124	Pub trst	G	Bribing athletes		4
25	750.128	Pub ord	H	Bucket shops		2
26	750.131(3)(a)(iv)	Property	H	NSF checks -- \$50 or less -- 27 fourth offense		13
28						months
29	750.131(3)(b)(ii)	Property	H G	NSF checks -- \$50 to \$200 30 \$100 TO \$500 -- third OR 31 SUBSEQUENT offense		13
32						2

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25

1 <RO> months

2 750.131(3)(c) Property ~~H~~ G NSF checks -- over ~~-\$200-~~ \$500 ~~13-~~

3 2

4 <RO> months

5 750.131a(1) Property H No account checks 2

6 750.131a(2) Property H No account checks -- three
7 within 10 days 2

8 Sec. 16h. This chapter applies to the following felonies

9 enumerated in chapter 750 of the Michigan Compiled Laws:

10	M.C.L.	Category	Class	Description	Stat	Max
11	750.149	Pub saf	F	Concealing an offense punish-		
12				able by life	4	
13	750.157a(b)	Pub ord	H	Conspiracy -- gambling	5	
14	750.157a(d)	Pub ord	G	Conspiracy to commit legal act		
15				in illegal manner	5	
16	750.157b(2)	Person	A	Solicitation of murder	Life	
17	750.157b(3)(a)	Pub ord	E	Solicitation of felony punish-		
18				able by life or 5 or more		
19				years	5	
20	750.157b(3)(b)	Pub ord	G	Solicitation of felony punish-		
21				able by less than 5 years	2	
22	750.157n(1)	Property	H	Financial transaction device		
23				-- stealing, retaining, or		
24				using without consent	4	
25	750.157n(2)	Property	H	Possessing fraudulent or		
26				altered financial transac-		
27				tion device	4	
28	750.157p	Property	H	Possessing financial transac-		
29				tion device without permis-		
30				sion and with intent to use		
31				or sell	4	
32	750.157q	Property	H	Delivery or sale of fraudulent		
33				financial transaction device	4	

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1	750.157r	Property	H	Financial transaction device	
2				-- forgery, alteration, or	
3				counterfeiting	4
4	750.157s-				
5	750.157S(1)(B)(ii)	Property	H	Use of revoked or canceled	
6				financial transaction device	
7				over BETWEEN \$100 AND \$500	
8				WITH PRIOR CONVICTIONS	1 2
9	750.157S(1)(C)	PROPERTY	H	USE OF REVOKED OR CANCELED	
10				FINANCIAL TRANSACTION DEVICE	
11				\$500 OR MORE	2
12	750.157t	Property	H	Furnishing goods or services	
13				to person committing viola-	
14				tion with financial transac-	
15				tion device	4
16	750.157u	Property	H	Overcharging person using	
17				financial transaction device	4
18	750.157v	Property	H	False statement of identity to	
19				obtain financial transaction	
20				device	4
21	750.157w-				
22	750.157W(1)(C)	Property	H E	Fraudulently withdrawing or	
23				transferring more than	
24				\$500 \$1,000 TO \$20,000 with	
25				financial transaction device	4 5
26	750.157W(1)(D)	PROPERTY	D	FRAUDULENTLY WITHDRAWING OR	
27				TRANSFERRING MORE THAN	
28				\$20,000 WITH FINANCIAL	
29				TRANSACTION DEVICE	10

30 Sec. 16i. This chapter applies to the following felonies
 31 enumerated in chapter 750 of the Michigan Compiled Laws:

32	M.C.L.	Category	Class	Description	Stat	Max
33	750.158	Pub ord	E	Sodomy	15	
34	750.159j	Pub saf	B	Racketeering	20	
35	750.160	Pub ord	D	Disinterring or mutilating		
36				dead human bodies	10	
37	750.160a	Pub ord	H	Photographing dead human		
38				bodies	2	

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1	750.161	Pub ord	G	Desertion/abandonment/nonsupport	3
2					
3	750.164	Pub ord	F	Desertion to escape	4
4				prosecution	
5	750.165	Pub ord	F	Failing to pay support and	4
6				leaving state	
7	750.171	Person	E	Duelling	10
8	750.174(4)	PROPERTY	E	EMBEZZLEMENT BY AGENT \$1,000	
9				TO \$20,000 OR WITH PRIOR	
10				CONVICTIONS	5
11	750.174				
12	750.174(5)	Property	D	Embezzlement by agent over	
13				\$100 \$20,000 OR \$1,000 TO	
14				\$20,000 WITH PRIOR	
15				CONVICTIONS	10
16	750.175	Pub trst	D	Embezzlement by public offi-	10
17				cial over \$50	
18	750.176	Pub trst	E	Embezzlement by admin-	10
19				istrator/executor/guardian	
20	750.177				
21	750.177(2)	Property	H D	Embezzlement by chattel mort-	
22				gagor over \$100 \$20,000 OR	
23				\$1,000 TO \$20,000 WITH PRIOR	
24				CONVICTIONS	2
25					10
26	750.177(3)	PROPERTY	E	EMBEZZLEMENT BY CHATTEL MORT-	
27				GAGOR OF \$1,000 TO \$20,000	
28				OR WITH PRIOR CONVICTIONS	5
29	750.178				
30	750.178(2)	Property	G D	Embezzlement of mortgaged or	
31				leased property --- over	
32				\$100 \$20,000 OR \$1,000 TO	
33				\$20,000 WITH PRIOR	
34				CONVICTIONS	2
35					10
36	750.178(3)	PROPERTY	E	EMBEZZLEMENT OF MORTGAGED OR	
37				LEASED PROPERTY WITH VALUE	
38				OF \$1,000 TO \$20,000 OR WITH	
39				PRIOR CONVICTIONS	5

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1	750.179	Property	G	Embezzlement of railroad tickets	4
2					
3	750.180	Property	D	Embezzlement by financial institutions	20
4					
5	750.181(4)	PROPERTY	E	EMBEZZLEMENT OF JOINTLY HELD PROPERTY BETWEEN \$1,000 AND \$20,000 OR WITH PRIOR CONVICTIONS	5
6					
7					
8					
9	750.181				
10	750.181(5)	Property	E D	Embezzlement of jointly held property over \$100 \$20,000 OR \$1,000 TO \$20,000 WITH PRIOR CONVICTIONS	10
11					
12					
13					
14	750.182	Property	G	Embezzlement by warehouses	4
15	750.182a	Pub trst	H	Falsifying school records	2

16 Sec. 16k. This chapter applies to the following felonies
 17 enumerated in chapter 750 of the Michigan Compiled Laws:

18	M.C.L.	Category	Class	Description	Stat Max
19	750.200	Pub saf	F E	Explosives -- transport by common carriers	4 5
20					
21	750.200I(2)(A)	PUB SAF	C	MANUFACTURE/USE OF HARMFUL DEVICES	15
22					
23	750.200I(2)(B)	PROPERTY	C	HARMFUL DEVICES CAUSING PROPERTY DAMAGE	20
24					
25	750.200I(2)(C)	PERSON	B	HARMFUL DEVICES CAUSING PERSONAL INJURY	25
26					
27	750.200I(2)(D)	PERSON	A	HARMFUL DEVICES CAUSING SERIOUS IMPAIRMENT	LIFE
28					
29	750.200J(2)(B)	PROPERTY	F	IRRITANTS AND IRRITANT DEVICES CAUSING PROPERTY DAMAGE	4
30					
31	750.200J(2)(C)	PERSON	D	IRRITANTS AND IRRITANT DEVICES CAUSING PERSONAL INJURY	10
32					
33	750.200J(2)(D)	PERSON	B	IRRITANTS AND IRRITANT DEVICES CAUSING SERIOUS IMPAIRMENT	25
34					
35	750.200J(2)(E)	PERSON	A	IRRITANTS AND IRRITANT DEVICES CAUSING DEATH	LIFE
36					

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1	750.201	Pub saf	F	Transportation of concussion	
2				or friction type CERTAIN	
3				TYPES OF explosives	4 5
4	750.202	Pub saf	F	Shipping explosives with false	
5				markings or invoice	4
6	750.204				
7	750.204(2)(A)	Pub saf	E C	Sending explosives with	
8				MALICIOUS intent to injure	
9				persons	5
10					15
11	750.204(2)(B)	PROPERTY	C	SENDING EXPLOSIVES CAUSING	
12				PROPERTY DAMAGE	20
13	750.204(2)(C)	PERSON	B	SENDING EXPLOSIVES CAUSING	
14				PHYSICAL INJURY	25
15	750.204(2)(D)	PERSON	A	SENDING EXPLOSIVES CAUSING	
16				SERIOUS IMPAIRMENT	LIFE
17	750.204a	Pub saf	F	Sending or transporting imita-	
18				tion explosive device with	
19				malicious intent	4 5
20	750.205	Pub saf	C	Placing explosives with the	
21				intent to destroy property	15
22	750.205a	Pub saf	F	Intimidation or harassment by	
23				device represented as an	
24				explosive	4
25	750.206	Person	B	Placing explosives with damage	
26				to property resulting	25
27	750.208	Pub saf	C	Aiding or abetting explosives	
28				placement with intent to	
29				destroy property	15
30	750.207(2)(A)	PUB SAF	C	PLACING EXPLOSIVES WITH MALI-	
31				CIOUS INTENT	15
32	750.207(2)(B)	PROPERTY	C	PLACING EXPLOSIVES CAUSING	
33				PROPERTY DAMAGE	20
34	750.207(2)(C)	PERSON	B	PLACING EXPLOSIVES CAUSING	
35				PHYSICAL INJURY	25
36	750.207(2)(D)	PERSON	A	PLACING EXPLOSIVES CAUSING	
37				SERIOUS IMPAIRMENT	LIFE

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1	750.209					
2	750.209(1)(A)	Pub saf	C	Placing foul or offensive OR		
3				INJURIOUS substance WITH		
4				INTENT to injure		15
5	750.209(1)(B)	PROPERTY	C	PLACING OFFENSIVE OR INJURIOUS		
6				SUBSTANCE CAUSING PROPERTY		
7				DAMAGE		20
8	750.209(1)(C)	PERSON	B	PLACING OFFENSIVE OR INJURIOUS		
9				SUBSTANCE CAUSING PHYSICAL		
10				INJURY		25
11	750.209(1)(D)	PERSON	A	PLACING OFFENSIVE OR INJURIOUS		
12				SUBSTANCE CAUSING SERIOUS		
13				IMPAIRMENT		LIFE
14	750.209					
15	750.209(2)	Pub saf	F	Placing foul or offensive OR		
16				INJURIOUS substance WITH		
17				INTENT to alarm OR ANNOY	4	5
18	750.209A	PUB SAF	D	POSSESSING EXPLOSIVE DEVICE IN		
19				PUBLIC PLACE		10
20	750.210					
21	750.210(2)(A)	Pub saf	E C	Possession of bombs		
22				POSSESSING OR CARRYING		
23				EXPLOSIVE OR COMBUSTIBLE		
24				SUBSTANCE with unlawful		
25				MALICIOUS intent	5	
26						15
27	750.210(2)(B)	PROPERTY	C	POSSESSING OR CARRYING EXPLO-		
28				SIVE OR COMBUSTIBLE SUB-		
29				STANCE CAUSING PROPERTY		
30				DAMAGE		20
31	750.210(2)(C)	PERSON	B	POSSESSING OR CARRYING EXPLO-		
32				SIVE OR COMBUSTIBLE SUB-		
33				STANCE CAUSING PHYSICAL		
34				INJURY		25
35	750.210(2)(D)	PERSON	A	POSSESSING OR CARRYING EXPLO-		
36				SIVE OR COMBUSTIBLE SUB-		
37				STANCE CAUSING SERIOUS		
38				IMPAIRMENT		LIFE
39	750.210a	Pub saf	H	Sale of valerium		5
40	750.211	Pub saf	E	Manufacture of explosives with		
41				unlawful intent	5	

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1	750.211a					
2	750.211A(2)(A)	Pub saf	F C	Possessing or manufacturing		
3				MANUFACTURE/POSSESS EXPLO-		
4				SIVE OR INCENDIARY device		
5				designed to explode upon		
6				impact or heating WITH		
7				MALICIOUS INTENT		4
8						15
9	750.211A(2)(A)	PUB SAF	C	MANUFACTURE/POSSESS EXPLOSIVE		
10				OR INCENDIARY DEVICE WITH		
11				MALICIOUS INTENT		15
12	750.211A(2)(B)	PROPERTY	C	MANUFACTURE/POSSESS EXPLOSIVE		
13				OR INCENDIARY DEVICE CAUSING		
14				PROPERTY DAMAGE		20
15	750.211A(2)(C)	PERSON	B	MANUFACTURE/POSSESS EXPLOSIVE		
16				OR INCENDIARY DEVICE CAUSING		
17				PHYSICAL INJURY		25
18	750.211A(2)(D)	PERSON	A	MANUFACTURE/POSSESS EXPLOSIVE		
19				OR INCENDIARY DEVICE CAUSING		
20				SERIOUS IMPAIRMENT		LIFE
21	750.212A	PERSON	B	EXPLOSIVES VIOLATION CAUSING		
22				DEATH OR INJURY TO VULNERA-		
23				BLE TARGET		20

24 Sec. 161. This chapter applies to the following felonies
 25 enumerated in chapter 750 of the Michigan Compiled Laws:

26	M.C.L.	Category	Class	Description	Stat	Max
27	750.213	Person	B	Threats to extort money	20	
28	750.217b	Pub saf	G	Impersonating public utility		
29				employee	2	
30	750.217C(3)	PUB ORD	H	IMPERSONATING PUBLIC OFFICER		
31				OR EMPLOYEE	2	
32	750.217C(4)	PUB ORD	G	IMPERSONATING PUBLIC OFFICER		
33				OR EMPLOYEE -- THIRD OR SUB-		
34				SEQUENT CONVICTION	4	
35	750.218(4)	PROPERTY	E	FALSE PRETENSES BETWEEN \$1,000		
36				AND \$20,000 OR WITH PRIOR		
37				CONVICTIONS	5	
38	750.218					
39	750.218(5)	Property	E D	False pretenses over \$100		

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1				\$20,000 OR \$1,000 TO \$20,000	
2				WITH PRIOR CONVICTIONS	10
3	750.219a(2)(c)	Property	E	Telecommunications fraud --	
4				2 1 OR MORE prior convic-	
5				tions or value between	
6				\$1,000-\$20,000	5
7	750.219a(2)(d)	Property	D	Telecommunications fraud --	
8				3 2 or more prior convic-	
9				tions or value over \$20,000	10

10 Sec. 16p. This chapter applies to the following felonies
 11 enumerated in chapter 750 of the Michigan Compiled Laws:

12	M.C.L.	Category	Class	Description	Stat Max
13	750.317	Person	M2	Second degree murder	Life
14	750.321	Person	C	Manslaughter	15
15	750.322	Person	C	Willful killing of unborn	
16				quick child	15
17	750.323	Person	C	Abortion resulting in death	15
18	750.324	Person	G	Negligent homicide	2
19	750.327	Person	A	Death by explosives on vehicle	
20				or vessel	Life
21	750.328	Person	A	Death by explosives in or near	
22				building	Life
23	750.329	Person	C	Homicide -- weapon aimed with	
24				intent but not malice	15
25	750.329A	PERSON	E	ASSISTING A SUICIDE	5

26 Sec. 16r. This chapter applies to the following felonies
 27 enumerated in chapter 750 of the Michigan Compiled Laws:

28	M.C.L.	Category	Class	Description	Stat Max
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1	750.356(2)	PROPERTY	D	LARCENY OVER \$20,000 OR WITH	
2				PRIOR CONVICTIONS	10
3	750.356				
4	750.356(3)	Property	E	Larceny over \$100 BETWEEN	
5				\$1,000 AND \$20,000 OR WITH	
6				PRIOR CONVICTIONS	5
7	750.356a				
8	750.356A(1)	Property	G	Larceny from a motor vehicle	5
9	750.356A(2)(C)	PROPERTY	E	BREAK AND ENTER VEHICLE TO	
10				STEAL \$1,000 TO \$20,000 OR	
11				WITH PRIOR CONVICTIONS	5
12	750.356A(2)(D)	PROPERTY	D	BREAK AND ENTER VEHICLE TO	
13				STEAL OVER \$20,000 OR WITH	
14				PRIOR CONVICTIONS	10
15	750.356A(3)	PROPERTY	G	BREAK AND ENTER VEHICLE TO	
16				STEAL CAUSING DAMAGE	5
17	750.356b	Property	G	Breaking and entering a coin	
18				telephone	4
19	750.356c	Property	H E	Retail fraud -- first degree	2 5
20	750.357	Person	D	Larceny from the person	10
21	750.357a	Property	G	Larceny of livestock	4
22	750.357b	Property	E	Larceny -- stealing firearms	
23				of another	5
24	750.358	Property	G	Larceny from burning building	5
25	750.360	Property	G	Larceny in a building	4
26	750.361	Property	H	Trains -- stealing/maliciously	
27				removing parts	2
28	750.362	Property	E	Larceny by conversion over	
29				\$100 BETWEEN \$1,000 AND	
30				\$20,000 OR WITH PRIOR	
31				CONVICTIONS	5
32		PROPERTY	D	LARCENY BY CONVERSION OVER	
33				\$20,000 OR WITH PRIOR	
34				CONVICTIONS	10
35					
36	750.362A(2)	PROPERTY	D	LARCENY OF RENTAL	
37				PROPERTY OVER \$20,000	

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1				OR WITH PRIOR	
2				CONVICTIONS	10
3	750.362a				
4	750.362A(3)	Property	H E	Larceny of rental prop-	
5				erty BETWEEN \$1,000 AND	
6				\$20,000 OR WITH PRIOR	
7				CONVICTIONS	2 5
8	750.363	Property	E	Larceny by false persona-	
9				tion over \$100	
10				BETWEEN \$1,000 AND	
11				\$20,000 OR WITH PRIOR	
12				CONVICTIONS	5
13		PROPERTY	D	LARCENY BY FALSE PERSONA-	
14				TION OVER \$20,000 OR	
15				WITH PRIOR CONVICTIONS	10
16					
17	750.365	Person	D	Larceny from car or per-	
18				sons detained or	
19				injured by accident	20
20	750.366	Property	G	Larceny of railroad	
21				tickets	4
22	750.367	Property	G E	Larceny of trees and	
23				shrubs over \$100	
24				BETWEEN \$1,000 AND	
25				\$20,000 OR WITH PRIOR	
26				CONVICTIONS	5
27		PROPERTY	D	LARCENY OF TREES AND	
28				SHRUBS OVER \$20,000 OR	
29				WITH PRIOR CONVICTIONS	10
30	750.367b	Property	E	Airplanes -- taking	
31				possession	5
32	750.368(5)	PUB ORD	G	PREPARE, SERVE, OR EXE-	
33				CUTE UNAUTHORIZED PRO-	
34				CESS -- THIRD OR SUBSE-	
35				QUENT OFFENSE	4
36	750.372	Pub ord	H	Running or allowing	
37				lottery	2
38	750.373	Pub ord	H	Selling or possessing	
39				lottery tickets	2
40	750.374	Pub ord	H	Lottery -- second offense	4

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1 Sec. 16s. This chapter applies to the following felonies
 2 enumerated in chapter 750 of the Michigan Compiled Laws:

3	M.C.L.	Category	Class	Description	Stat	Max
4	750.377A(1)(A)	PROPERTY	D	MALICIOUS DESTRUCTION OF PERSONAL PROPERTY OVER \$20,000 OR WITH PRIOR CONVICTIONS	10	
7	750.377a					
8	750.377A(1)(B)	Property	G E	Malicious destruction of personal property over \$100 BETWEEN \$1,000 AND \$20,000 OR WITH PRIOR CONVICTIONS	4	5
12	750.377b	Property	F	Malicious destruction of fire/police property	4	
14	750.377c	Property	E	School bus -- intentional damage	5	
16	750.378	Property	F	Malicious destruction of property -- dams/canals/ mills	4	
18	750.379	Property	F	Malicious destruction of property -- bridges/ railroads/locks	4	
21	750.380					
22	750.380(2)	Property	F D	Malicious destruction of building over \$100 \$20,000 OR WITH PRIOR CONVICTIONS	4	10
26	750.380(3)	PROPERTY	E	MALICIOUS DESTRUCTION OF BUILDING BETWEEN \$1,000 AND \$20,000 OR WITH PRIOR CONVICTIONS	5	
30	750.382(1)(C)	PROPERTY	E	MALICIOUS DESTRUCTION OF PLANTS OR TURF BETWEEN \$1,000 AND \$20,000 OR WITH PRIOR CONVICTIONS	5	
34	750.382(1)(D)	PROPERTY	D	MALICIOUS DESTRUCTION OF PLANTS OR TURF OVER \$20,000 OR WITH PRIOR CONVICTIONS	10	
37	750.383a	Property	F	Malicious destruction of utility equipment	4	

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1	750.386	Property	E	Malicious destruction of mine property	20
2					
3	750.387				
4	750.387(5)	Property	G E	Malicious destruction of tombs and memorials BETWEEN \$1,000 AND \$20,000 OR WITH PRIOR CONVICTIONS	5
5					
6					
7					
8	750.387(6)	PROPERTY	D	MALICIOUS DESTRUCTION OF TOMBS AND MEMORIALS OVER \$20,000 OR WITH PRIOR CONVICTIONS	10
9					
10					
11	750.392	Property	E	Malicious destruction of property -- vessels	10
12					
13	750.397	Person	D	Mayhem	10
14	750.397a	Person	D	Placing harmful objects in food	10
15					
16	750.405	Pub saf	E	Inciting soldiers to desert	5
17	750.406	Pub saf	E	Military stores -- larceny, embezzlement or destruction	5
18					

[Sec. 16t. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat	Max
750.410a	Person	G	Conspiracy to commit a person to state hospital unjustly	4	
750.411a(1)(b)	Pub ord	F	False report of a felony	4	
750.411a(2)	Pub ord	F	False report of a bombing or threat to bomb	4	
750.411b	Pub trst	G	Excess fees to members of legislature	4	
750.411h(2)(b)	Person	E	Stalking of a minor	5	
750.411i(3)(A)	PERSON	E	AGGRAVATED STALKING	5	
750.411i(3)(b)	Person	D	Aggravated stalking of a minor	10	
750.411l	Pub ord	H	Money laundering -fourth degree	2	
750.411m	Pub ord	E	Money laundering -third degree	5	
750.411n	Pub ord	D	Money laundering -second degree	10	
750.411o	Pub ord	B	Money laundering -first degree	20	
750.411p(2)(a)	Property	B	Money laundering ->\$10,000 proceeds from controlled substance offense	20	
750.411p(2)(b)	Property	D	Money laundering -proceeds from controlled substance offense or other proceeds >\$10,000	10	
750.411p(2)(c)	Property	E	Money laundering -transactions involving represented proceeds	5]	

19 Sec. 16v. This chapter applies to the following felonies
 20 enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat	Max
21					
22	750.422	Pub trst	G	Perjury -- committed in court/capital crime	Life
23					
24	750.422	Pub trst	G	Perjury -- committed in court/noncapital crime	15
25					
26	750.423	Pub trst	E	Perjury	15
27	750.424	Pub trst	E	Subornation of perjury	15
28	750.425	Pub trst	E	Inciting or procuring perjury	5
29	750.430A	PERSON	F	HUMAN CLONING	10
30	750.436(1)	Person	E	Poisoning food/drink/wells	5
31	750.436(2)	Person	A	Poison -- food/drink/medicine/wells -- large amounts/injury	Life
32					
33					
34	750.436(3)	Pub saf	H	Poison -- Malicious false statement of poisoning	2
35					

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1	750.439	Pub ord	G	Polygamy	4
2	750.440	Pub ord	G	Polygamy -- knowingly entering	4
3				a prohibited marriage	
4	750.441	Pub ord	G	Teaching or advocating	4
5				polygamy	
6	750.442	Pub ord	G	Participating in prizefights	4
7	750.443	Pub ord	G	Prizefights -- training	4

8 Sec. 16x. This chapter applies to the following felonies
9 enumerated in chapter 750 of the Michigan Compiled Laws:

10	M.C.L.	Category	Class	Description	Stat Max
11	750.478A(2)	PUB ORD	H	UNAUTHORIZED PROCESS TO	2
12				OBSTRUCT PUBLIC OFFICER OR	
13				EMPLOYEE	
14	750.478A(3)	PUB ORD	G	UNAUTHORIZED PROCESS TO	4
15				OBSTRUCT PUBLIC OFFICER OR	
16				EMPLOYEE -- SUBSEQUENT	
17				OFFENSE	
18	750.479	Person	G	Resisting or obstructing a	2
19				peace officer	
20	750.479a(2)	Pub saf	G	Fleeing and eluding -- fourth	2
21				degree	
22	750.479a(3)	Pub saf	E	Fleeing and eluding -- third	5
23				degree	
24	750.479a(4)	Person	D	Fleeing and eluding -- second	10
25				degree	
26	750.479a(5)	Person	C	Fleeing and eluding -- first	15
27				degree	
28	750.479a(6)	Person	H	Assaulting peace officer	2
29	750.479b(1)	Person	F	Disarming peace officer --	4
30				nonfirearm	
31	750.479b(2)	Person	D	Disarming peace officer --	10
32				firearm	
33	750.480	Pub trst	F	Public officers -- refusing to	4
34				turn over books/money to	
35				successor	

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1	750.488	Pub trst	H	Public officers -- state	
2				official -- retaining fees	2
3	750.490	Pub trst	H	Public money -- safekeeping	2
4	750.491	Pub trst	H	Public records --	
5				removal/mutilation/destruction	
6					2
7	750.492a(1)(a)	Pub trst	G	Medical record -- intentional	
8				place false information --	
9				health care provider	4
10	750.492a(2)	Pub trst	G	Medical record -- health care	
11				provider alter conceal	
12				injury/death	4
13	750.495a(2)	Person	F	Concealing objects in trees or	
14				wood products -- causing	
15				injury	4
16	750.495a(3)	Person	C	Concealing objects in trees or	
17				wood products -- causing	
18				death	15
19	750.505	Pub ord	E	Common law offenses	5
20	750.511	Person	A	Blocking or wrecking railroad	
21				track	Life
22	750.512	Property	E	Uncoupling railroad cars	10
23	750.513	Property	H	Issuing fraudulent railroad	
24				securities	10
25	750.514	Property	H	Seizing locomotive with mail	
26				car	10
27	750.516	Person	C	Stopping train to rob	Life
28	750.517	Person	C	Boarding train to rob	Life
29	Sec. 16z. This chapter applies to the following felonies				
30	enumerated in chapter 750 of the Michigan Compiled Laws:				
31	M.C.L.	Category	Class	Description	Stat Max
32	750.535(2)	PROPERTY	D	RECEIVING OR CONCEALING STOLEN	
33				PROPERTY OVER \$20,000 OR	
34				WITH PRIOR CONVICTIONS	10
35	750.535				
36	750.535(3)	Property	E	Receiving or concealing stolen	

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1				property over \$100 BETWEEN	
2				\$1,000 AND \$20,000 OR WITH	
3				PRIOR CONVICTIONS	5
4	750.535a	Pub ord	E	Operating a chop shop	5
5	750.535b	Pub saf	E	Stolen firearms or ammunition	10
6	750.539c	Pub ord	H	Eavesdropping	2
7	750.539d	Pub ord	H	Installing eavesdropping	
8				device	2
9	750.539e	Pub ord	H	Divulging information obtained	
10				by eavesdropping	2
11	750.539f	Pub ord	H	Manufacture or possession of	
12				eavesdropping device	2
13	750.540	Pub ord	H	Tapping or cutting telephone	
14				lines	2
15	750.540c(3)	Property	F	Telecommunications and com-	
16				puter -- manufacture or	
17				deliver counterfeit	
18				communications	4
19	750.540f(2)	Property	E	Telecommunications and com-	
20				puter -- knowingly publish-	
21				ing counterfeit devices --	
22				second conviction	5
23	750.540g(1)(c)	Property	E	Telecommunications -- divert-	
24				ing value \$1,000-\$20,000 or	
25				priors WITH PRIOR	
26				CONVICTIONS	5
27	750.540g(1)(d)	Property	D	Telecommunications -- divert-	
28				ing value >\$20,000 or	
29				priors WITH PRIOR	
30				CONVICTIONS	10
31	750.545	Pub ord	E	Misprision of treason	5
32	750.552b	Property	F	Trespassing on correctional	
33				facility property	4

34 Sec. 17. This chapter applies to the following felonies
 35 enumerated in chapters 751 to 830 of the Michigan Compiled Laws:

36 **M.C.L. Category Class Description Stat Max**

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1	752.191	Pub saf	G	Felonious driving	2
2	752.365(3)	Pub ord	G	Obscenity -- second offense	2
3	752.541	Pub saf	D	Riot	10
4	752.542	Pub saf	D	Incitement to riot	10
5	752.542a	Pub saf	D	Riot in state correctional facilities	10
6					
7	752.543	Pub saf	G	Unlawful assembly	5
8	752.701	Property	H	Destruction or removal of timber	1
9					
10	752.797(1)(c)	Property	E	Computer fraud -- 2 prior convictions or value between \$1,000 and \$20,000	5
11					
12					
13	752.797(1)(d)	Property	D	Computer fraud -- 3 or more prior convictions or value over \$20,000	10
14					
15					
16	752.802	Property	H	Vending machines -- manufacture/sale of slugs	5
17					
18	752.811	Property	H	Breaking and entering a coin operated device	3
19					
20	752.861	Person	G	Careless discharge of firearm causing injury or death	2
21					
22	752.881	Person	G	Reckless use of bow and arrow resulting in injury or death	2
23					
24	752.1003	Property	F	Health care fraud -- false claim/state, unnecessary, conceal information	4
25					
26					
27	752.1004	Property	F	Health care fraud -- kickbacks/referral fees	4
28					
29	752.1005	Property	H	Health care fraud -- conspiracy	10
30					
31	752.1006	Property	D	Health care fraud -- second offense	20
32					
33	752.1027	Person	F	Assisted suicide	4
34	752.1054(2)	Property	G	Copying audio/video recordings for gain	5
35					

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1	764.1e	Pub trst	C	Peace officer -- false	
2				statement in a complaint	15
3	767.4a	Pub trst	F	Disclosing or possessing grand	
4				jury information	4
5	800.281(1)	Pub saf	H	Furnishing prisoner with	
6				contraband	5
7	800.281(2)	Pub saf	H	Furnishing prisoner with con-	
8				traband outside	5
9	800.281(3)	Pub saf	H	Bringing contraband into	
10				prisons	5
11	800.281(4)	Pub saf	E	Prisoner possessing contraband	5
12	800.283(1)	Pub saf	E	Furnishing weapon to prisoner	
13				in prison	5
14	800.283(2)	Pub saf	E	Prisons -- knowledge of a	
15				weapon in a correctional	
16				facility	5
17	800.283(3)	Pub saf	E	Bringing weapon into prison	5
18	800.283(4)	Pub saf	E	Prisoner possessing weapon	5

19 Sec. 31. (1) Offense variable 1 is aggravated use of a
 20 weapon. Score offense variable 1 by determining which of the
 21 following apply and by assigning the number of points attribut-
 22 able to the one that has the highest number of points:

23 (a) A firearm was discharged at or toward a human
 24 being or a victim was cut or stabbed with a knife or
 25 other cutting or stabbing weapon..... 25 points

26 (b) A firearm was pointed at or toward a victim
 27 or the victim had a reasonable apprehension of an
 28 immediate battery when threatened with a knife or
 29 other cutting or stabbing weapon..... 15 points

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1 (c) The victim was touched by any other type of
2 weapon..... 10 points

3 (d) A weapon was displayed or implied..... 5 points

4 (e) No aggravated use of a weapon occurred..... 0 points

5 (2) All of the following apply to scoring offense variable
6 1:

7 (a) Count each person who was placed in danger ~~or~~ OF
8 injury or loss of life as a victim.

9 (b) In multiple offender cases, if 1 offender is assessed
10 points for the presence or use of a weapon, all offenders shall
11 be assessed the same number of points.

12 (c) Score 5 points if an offender used an object to suggest
13 the presence of a weapon.

14 (d) Do not score 5 points if the conviction offense is a
15 violation of section 82 or 529 of the Michigan penal code, 1931
16 PA 328, MCL 750.82 and 750.529.

17 Sec. 43. (1) Offense variable 13 is continuing pattern of
18 criminal behavior. Score offense variable 13 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) The offense was part of a pattern of feloni-
23 ous criminal activity involving 3 or more crimes
24 against a person..... 25 points

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1 (b) The offense was part of a pattern of feloni-
2 ous criminal activity involving a combination of 3 or
3 more crimes against a person or property..... 10 points

4 (c) The offense was part of a pattern of feloni-
5 ous criminal activity directly related to membership
6 in an organized criminal group..... 10 points

7 (d) The offense was part of a pattern of feloni-
8 ous criminal activity involving 3 or more crimes
9 against property..... ~~25~~ 5
10 points

11 (e) No pattern of felonious criminal activity
12 existed..... 0 points

13 (2) All of the following apply to scoring offense variable
14 13:

15 (a) For determining the appropriate points under this vari-
16 able, all crimes within a 5-year period, including the sentencing
17 offense, shall be counted regardless of whether the offense
18 resulted in a conviction.

19 (b) The presence or absence of multiple offenders, the age
20 of the offenders, or the degree of sophistication of the orga-
21 nized criminal group is not as important as the fact of the
22 group's existence, which may be reasonably inferred from the
23 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. 46. (1) Offense variable 16 is property obtained, dam-
5 aged, lost, or destroyed. Score offense variable 16 by determin-
6 ing which of the following apply and by assigning the number of
7 points attributable to the one that has the highest number of
8 points:

9 (a) Wanton or malicious damage occurred beyond
10 that necessary to commit the crime for which the
11 offender is not charged and will not be charged..... 10 points

12 (b) The property had a value of more than
13 \$20,000.00 or had significant historical, social, or
14 sentimental value..... 10 points

15 (c) The property ~~destroyed~~ had a value of
16 \$1,000.00 or more but not more than \$20,000.00..... 5 points

17 (d) The property ~~destroyed~~ had a value of
18 \$200.00 or more but not more than \$1,000.00..... 1 point

19 (e) No property was obtained, damaged, lost, or
20 destroyed or the property had a value of less than
21 \$200.00..... 0 points

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1 (2) All of the following apply to scoring offense variable
2 16:

3 (a) In multiple offender or victim cases, the appropriate
4 points may be determined by adding together the aggregate value
5 of the property involved, including property involved in
6 uncharged offenses or charges dismissed under a plea agreement.

7 (b) In cases in which the property was obtained unlawfully,
8 lost to the lawful owner, or destroyed, use the value of the
9 property in scoring this variable. If the property was damaged,
10 use the monetary amount appropriate to restore the property to
11 pre-offense condition in scoring this variable.

12 (c) The amount of money or property involved in admitted but
13 uncharged offenses or in charges that have been dismissed under a
14 plea agreement may be considered.

15 Sec. 48. (1) Offense variable 18 is operator ability
16 affected by alcohol or drugs. Score offense variable 18 by
17 determining which of the following apply and by assigning the
18 number of points attributable to the one that has the highest
19 number of points:

20 (a) The offender operated a vehicle when his or
21 her bodily alcohol content was 0.20 grams or more per
22 100 milliliters of blood, per 210 liters of breath, or
23 per 67 milliliters of urine..... 20 points

24 (b) The offender operated a vehicle when his or
25 her bodily alcohol content was 0.15 grams or more but

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1 less than 0.20 grams per 100 milliliters of blood, per
2 210 liters of breath, or per 67 milliliters of urine.. 15 points

3 (c) The offender operated a vehicle when his or
4 her bodily alcohol content was 0.10 grams or more but
5 less than 0.15 grams per 100 milliliters of blood, per
6 210 liters of breath, or per 67 milliliters of urine,
7 or while he or she was under the influence of intoxi-
8 cating liquor or a controlled substance or a combina-
9 tion of intoxicating liquor and a controlled substance 10 points

10 (d) The offender operated a vehicle when his or
11 her bodily alcohol content was 0.07 grams or more but
12 less than 0.10 grams per 100 milliliters of blood, per
13 210 liters of breath, or per 67 milliliters of urine,
14 or while he or she was visibly impaired by the use of
15 intoxicating liquor ~~and~~ OR a controlled substance or
16 a combination of intoxicating liquor ~~or~~ AND a con-
17 trolled substance, or was less than 21 years of age
18 and had any bodily alcohol content..... 5 points

19 (e) The offender's ability to operate a vehicle
20 was not affected by an intoxicating liquor or a con-
21 trolled substance or a combination of intoxicating
22 liquor and a controlled substance..... 0 points

23 (2) As used in this section, "any bodily alcohol content"
24 means either of the following:

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1 (a) An alcohol content of not less than 0.02 grams or more
2 than 0.07 grams per 100 milliliters of blood, per 210 liters of
3 breath, or per 67 milliliters of urine.

4 (b) Any presence of alcohol within an individual's body
5 resulting from the consumption of intoxicating liquor other than
6 the consumption of intoxicating liquor as part of a generally
7 recognized religious service or ceremony.

8 [Enacting section 1. Section 34 of chapter IX and sections 11, 12,
9 13, 15, 16d, 16k, 16p, 16t, 16v, 31, 43, 46, and 48 of chapter XVII of the
code of criminal procedure, 1927 PA 175, MCL 769.34, 777.11, 777.12,
777.13, 777.15, 777.16d, 777.16k, 777.16p, 777.16t, 777.16v, 777.31,
777.43, 777.46, and 777.48, as amended by this amendatory act, take effect
December 15, 1998.

Enacting section 2. Sections 16c, 16f, 16h, 16i, 16l, 16r, 16s,
16x, 16z, and 17 of chapter XVII of the code of criminal procedure, 1927 PA
175, MCL 777.16c, 777.16f, 777.16h, 777.16i, 777.16l, 777.16r, 777.16s,
777.16x, 777.16z, and 777.17, as amended by this amendatory act, take
effect January 1, 1999.]