

# HOUSE BILL No. 6229

November 5, 1998, Introduced by Reps. Nye, Curtis and McNutt and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending sections 16c, 16f, 16h, 16i, 16l, 16r, 16s, 16z, and  
17 of chapter XVII (MCL 777.16c, 777.16f, 777.16h, 777.16i,  
777.16l, 777.16r, 777.16s, 777.16z, and 777.17, as added by 1998  
PA 317.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### 1 CHAPTER XVII

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

4 M.C.L. Stat Max	Category Class Description		
5 750.72 20	Person	B	Arson of a dwelling house
6 750.73 10	Property	D	Arson of real property
7 <del>750.74</del>			
8 750.74(1)(C)	Person	<del>F</del> E	Arson of personal property 9 <del>greater than \$50</del> WITH

1				VALUE OF \$1,000 TO \$20,000
2				OR WITH PRIOR CONVICTIONS
4	5			
3	750.74(1)(D)	PERSON	D	ARSON OF PERSONAL PROPERTY
4				OVER \$20,000 OR WITH PRIOR
5				CONVICTIONS
10				
6	750.75	Property	D	Arson of insured property
10				
7	<del>750.77</del>			
8	750.77(1)(C)	Person	<del>F</del> E	Preparing to burn personal
9				property <del>greater than \$50</del>
10				WITH VALUE OF \$1,000 TO
11				\$20,000 OR WITH PRIOR
12				CONVICTIONS
4	5			
13	750.77(1)(D)	PERSON	D	PREPARING TO BURN PERSONAL
14				PROPERTY OVER \$20,000 OR
15				WITH PRIOR CONVICTIONS
10				
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	Sec. 16f. This chapter applies to the following felonies			
22	enumerated in chapter 750 of the Michigan Compiled Laws:			
23	<b>M.C.L.</b>	<b>Category Class Description</b>		
	<b>Stat Max</b>			
24	750.110	Property	D	Breaking and entering with
25				intent to commit felony or
26				larceny
10				
27	750.110a(4)	Person	B	Home invasion -- first degree
20				
28	750.110a(5)	Person	C	Home invasion -- second degree
15				
29	750.111	Property	E	Entering without breaking with
30				intent to commit felony or
31				larceny
5				
32	750.112	Person	A	Burglary with explosives
	Life			
33	750.116	Property	E	Possession of burglar's tools
10				
34	750.117	Pub trst	F	Bribing public officer
4				
35	750.118	Pub trst	D	Public officer accepting bribe

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1	750.119	Pub trst	F	Bribing jurors and others
4				
2	750.120	Pub trst	F	Jurors and others accepting
3				bribes
4				
4	750.121	Pub trst	F	Bribing public officers to
5				influence contract
4				
6	750.124	Pub trst	G	Bribing athletes
4				
7	750.128	Pub ord	H	Bucket shops
2				
8	<del>750.131(3)(a)(iv)</del>	<del>Property</del>	<del>H</del>	<del>NSF checks -- \$50 or less --</del>
9				<del>fourth offense</del>
13				
10				
	<del>months</del>			
11	750.131(3)(b)(ii)	Property	<del>H</del> G	NSF checks -- <del>\$50 to \$200</del>
12				\$100 TO \$500 -- third OR
13				SUBSEQUENT offense
13				
14				
	<del>months</del>			
15	750.131(3)(c)	Property	<del>H</del> G	NSF checks -- over <del>\$200</del> \$500
13				
16				
	<del>months</del>			
17	750.131a(1)	Property	H	No account checks
2				
18	750.131a(2)	Property	H	No account checks -- three
19				within 10 days
2				
20	Sec. 16h. This chapter applies to the following felonies			
21	enumerated in chapter 750 of the Michigan Compiled Laws:			
22	<b>M.C.L.</b>	<b>Category Class Description</b>		
	<b>Stat Max</b>			
23	750.149	Pub saf	F	Concealing an offense punish-
24				able by life
4				
25	750.157a(b)	Pub ord	H	Conspiracy -- gambling
5				
26	750.157a(d)	Pub ord	G	Conspiracy to commit legal act
27				in illegal manner
5				
28	750.157b(2)	Person	A	Solicitation of murder
	Life			
29	750.157b(3)(a)	Pub ord	E	Solicitation of felony punish-
30				able by life or 5 or more
31				years

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1 2 3	750.157b(3)(b)	Pub ord	G	Solicitation of felony punishable by less than 5 years
4	2			
4 5 6	750.157n(1)	Property	H	Financial transaction device -- stealing, retaining, or using without consent
7	4			
7 8 9	750.157n(2)	Property	H	Possessing fraudulent or altered financial transaction device
10	4			
10 11 12 13	750.157p	Property	H	Possessing financial transaction device without permission and with intent to use or sell
14	4			
14 15	750.157q	Property	H	Delivery or sale of fraudulent financial transaction device
16	4			
16 17 18	750.157r	Property	H	Financial transaction device -- forgery, alteration, or counterfeiting
19	4			
19 20 21 22 23	<del>750.157s</del> 750.157S(1)(B)(ii)	Property	<del>H</del> G	Use of revoked or canceled financial transaction device <del>over</del> BETWEEN \$100 AND \$500 WITH PRIOR CONVICTIONS
24	<del>1</del> 2			
24 25 26	750.157S(1)(C)	PROPERTY	G	USE OF REVOKED OR CANCELED FINANCIAL TRANSACTION DEVICE \$500 OR MORE
27	2			
27 28 29 30	750.157t	Property	H	Furnishing goods or services to person committing violation with financial transaction device
31	4			
31 32	750.157u	Property	H	Overcharging person using financial transaction device
33	4			
33 34 35	750.157v	Property	H	False statement of identity to obtain financial transaction device
36	4			
36 37 38 39 40	<del>750.157w</del> 750.157W(1)(C)	Property	<del>H</del> E	Fraudulently withdrawing or transferring <del>more than</del> \$500 \$1,000 TO \$20,000 with financial transaction device
41	<del>4</del> 5			
41 42	750.157W(1)(D)	PROPERTY	D	FRAUDULENTLY WITHDRAWING OR TRANSFERRING MORE THAN



\$20,000 WITH FINANCIAL  
TRANSACTION DEVICE

10

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

**M.C.L.  
Stat Max**

**Category Class Description**

6	750.158 15	Pub ord	E	Sodomy
7	750.159j 20	Pub saf	B	Racketeering
8 9	750.160 10	Pub ord	D	Disinterring or mutilating dead human bodies
10 11	750.160a 2	Pub ord	H	Photographing dead human bodies
12 13	750.161 3	Pub ord	G	Desertion/abandonment/nonsupport
14 15	750.164 4	Pub ord	F	Desertion to escape prosecution
16 17	750.165 4	Pub ord	F	Failing to pay support and leaving state
18	750.171 10	Person	E	Duelling
19 20 21	750.174(4) 5	PROPERTY	E	EMBEZZLEMENT BY AGENT \$1,000 TO \$20,000 OR WITH PRIOR CONVICTIONS
22 23 24 25 26	<del>750.174</del> 750.174(5) 10	Property	D	Embezzlement by agent over <del>\$100</del> \$20,000 OR \$1,000 TO \$20,000 WITH PRIOR CONVICTIONS
27 28	750.175 10	Pub trst	D	Embezzlement by public offi- cial over \$50
29 30	750.176 10	Pub trst	E	Embezzlement by admin- istrator/executor/guardian
31 32 33 34 35	<del>750.177</del> 750.177(2) 10	Property <del>H</del>	D	Embezzlement by chattel mort- gagor over <del>\$100</del> \$20,000 OR \$1,000 TO \$20,000 WITH PRIOR CONVICTIONS
36 37	750.177(3)	PROPERTY	E	EMBEZZLEMENT BY CHATTEL MORTGAGOR OF \$1,000 TO



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1				\$20,000 OR WITH PRIOR
2				CONVICTIONS
3	5			
4	<del>750.178</del>	Property	<del>G</del> D	Embezzlement of mortgaged or
5	750.178(2)			leased property <del>over</del>
6				<del>\$100</del> \$20,000 OR \$1,000 TO
7				\$20,000 WITH PRIOR
8				CONVICTIONS
9	10			
10	750.178(3)	PROPERTY	E	EMBEZZLEMENT OF MORTGAGED OR
11				LEASED PROPERTY WITH VALUE
12				OF \$1,000 TO \$20,000 OR WITH
13	5			PRIOR CONVICTIONS
14	750.179	Property	G	Embezzlement of railroad
15				tickets
16	4			
17	750.180	Property	D	Embezzlement by financial
18				institutions
19	20			
20	750.181(4)	PROPERTY	E	EMBEZZLEMENT OF JOINTLY HELD
21				PROPERTY BETWEEN \$1,000 AND
22				\$20,000 OR WITH PRIOR
23				CONVICTIONS
24	5			
25	<del>750.181</del>	Property	<del>E</del> D	Embezzlement of jointly held
26	750.181(5)			property over <del>\$100</del> \$20,000
27				OR \$1,000 TO \$20,000 WITH
28				PRIOR CONVICTIONS
29	10			
30	750.182	Property	G	Embezzlement by warehouses
31	4			
32	750.182a	Pub trst	H	Falsifying school records
33	2			
34	Sec. 161. This chapter applies to the following felonies			
35	enumerated in chapter 750 of the Michigan Compiled Laws:			
36	<b>M.C.L.</b>	<b>Category Class Description</b>		
37	<b>Stat Max</b>			
38	750.213	Person	B	Threats to extort money
39	20			
40	750.217b	Pub saf	G	Impersonating public utility
41				employee
42	2			
43	750.218(4)	PROPERTY	E	FALSE PRETENSES BETWEEN \$1,000
44				AND \$20,000 OR WITH PRIOR
45				CONVICTIONS
46	5			
47	<del>750.218</del>	Property	<del>E</del> D	False pretenses over <del>\$100</del>
48	750.218(5)			



1				\$20,000 OR \$1,000 TO \$20,000
2				WITH PRIOR CONVICTIONS
10				
3	750.219a(2)(c)	Property	E	Telecommunications fraud --
4				<del>2</del> 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				<del>3</del> 2 or more prior convic-
9				tions or value over \$20,000
10				
10	Sec. 16r. This chapter applies to the following felonies			
11	enumerated in chapter 750 of the Michigan Compiled Laws:			
12	<b>M.C.L.</b>	<b>Category Class Description</b>		
	<b>Stat Max</b>			
13	750.356(2)	PROPERTY	D	LARCENY OVER \$20,000 OR WITH
14				PRIOR CONVICTIONS
10				
15	<del>750.356</del>			
16	750.356(3)	Property	E	Larceny <del>over \$100</del> BETWEEN
17				\$1,000 TO \$20,000 OR WITH
18				PRIOR CONVICTIONS
5				
19	<del>750.356a</del>			
20	750.356A(1)	Property	G	Larceny from a motor vehicle
5				
21	750.356A(2)(C)	PROPERTY	E	BREAK AND ENTER VEHICLE TO
22				STEAL \$1,000 TO \$20,000 OR
23				WITH PRIOR CONVICTIONS
5				
24	750.356A(2)(D)	PROPERTY	D	BREAK AND ENTER VEHICLE TO
25				STEAL OVER \$20,000 OR WITH
26				PRIOR CONVICTIONS
10				
27	750.356A(3)	PROPERTY	G	BREAK AND ENTER VEHICLE TO
28				STEAL CAUSING DAMAGE
5				
29	750.356b	Property	G	Breaking and entering a coin
30				telephone
4				
31	750.356c	Property	<del>H</del> E	Retail fraud -- first degree
2	5			
32	750.357	Person	D	Larceny from the person
10				
33	750.357a	Property	G	Larceny of livestock
4				
34	750.357b	Property	E	Larceny -- stealing firearms
35				of another
5				
36	750.358	Property	G	Larceny from burning building
5				

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1 4	750.360	Property	G	Larceny in a building
2 3 2	750.361	Property	H	Trains -- stealing/maliciously removing parts
4 5 5	750.362	Property	E	Larceny by conversion over \$100
6 7 8 10	750.362A(2)	PROPERTY	D	LARCENY OF RENTAL PROPERTY OVER \$20,000 OR WITH PRIOR CONVICTIONS
9 10 11 12 <del>2</del> 5	<del>750.362a</del> 750.362A(3)	Property	<del>H</del> E	Larceny of rental property BETWEEN \$1,000 AND \$20,000 OR WITH PRIOR CONVICTIONS
13 14 5	750.363	Property	E	Larceny by false personation over \$100
15 16 17 20	750.365	Person	D	Larceny from car or persons detained or injured by accident
18 4	750.366	Property	G	Larceny of railroad tickets
19 20 5	750.367	Property	G	Larceny of trees and shrubs over \$100
21 5	750.367b	Property	E	Airplanes -- taking possession
22 2	750.372	Pub ord	H	Running or allowing lottery
23 24 2	750.373	Pub ord	H	Selling or possessing lottery tickets
25 4	750.374	Pub ord	H	Lottery -- second offense

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

28 **M.C.L.                    Category Class Description**  
 29 **Stat Max**

29 30 31 10	750.377A(1)(A)	PROPERTY	D	MALICIOUS DESTRUCTION OF PERSONAL PROPERTY OVER \$20,000 OR WITH PRIOR CONVICTIONS
32 33 34 35 36 <del>4</del> 5	<del>750.377a</del> 750.377A(1)(B)	Property	<del>G</del> E	Malicious destruction of personal property <del>over \$100</del> BETWEEN \$1,000 TO \$20,000 OR WITH PRIOR CONVICTIONS

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1	750.377b	Property	F	Malicious destruction of	
2	4			fire/police property	
3	750.377c	Property	E	School bus -- intentional	
4	5			damage	
5	750.378	Property	F	Malicious destruction of prop-	
6	4			erty -- dams/canals/ mills	
7	750.379	Property	F	Malicious destruction of prop-	
8				erty -- bridges/	
9	4			railroads/locks	
10	<del>750.380-</del>				
11	750.380(2)	Property	<del>F</del> D	Malicious destruction of	
12				building over <del>\$100</del> \$20,000	
13	10			OR WITH PRIOR CONVICTIONS	-4
14	750.380(3)	PROPERTY	E	MALICIOUS DESTRUCTION OF	
15				BUILDING BETWEEN \$1,000 AND	
16				\$20,000 OR WITH PRIOR	
17	5			CONVICTIONS	
18	750.382(1)(C)	PROPERTY	E	MALICIOUS DESTRUCTION OF	
19				PLANTS OR TURF BETWEEN	
20				\$1,000 AND \$20,000 OR WITH	
21	5			PRIOR CONVICTIONS	
22	750.382(1)(D)	PROPERTY	D	MALICIOUS DESTRUCTION OF	
23				PLANTS OR TURF OVER \$20,000	
24	10			OR WITH PRIOR CONVICTIONS	
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	<del>750.387-</del>				
30	750.387(5)	Property	<del>G</del> E	Malicious destruction of tombs	
31				and memorials BETWEEN \$1,000	
32				AND \$20,000 OR WITH PRIOR	
33	5			CONVICTIONS	
34	750.387(6)	PROPERTY	D	MALICIOUS DESTRUCTION OF TOMBS	
35				AND MEMORIALS OVER \$20,000	
36	10			OR WITH PRIOR CONVICTIONS	
37	750.392	Property	E	Malicious destruction of prop-	
38	10			erty -- vessels	
39	750.397	Person	D	Mayhem	
	10				





1	750.397a	Person	D	Placing harmful objects in food
2	10			
3	750.405	Pub saf	E	Inciting soldiers to desert
5				
4	750.406	Pub saf	E	Military stores -- larceny, embezzlement or destruction
5	5			

6       Sec. 16z. This chapter applies to the following felonies  
7 enumerated in chapter 750 of the Michigan Compiled Laws:

8	M.C.L. Stat Max	Category	Class	Description
9	750.535(2)	PROPERTY	D	RECEIVING OR CONCEALING STOLEN PROPERTY OVER \$20,000 OR WITH PRIOR CONVICTIONS
10				
11	10			
12	<del>750.535-</del>			
13	750.535(3)	Property	E	Receiving or concealing stolen property <del>over \$100</del> BETWEEN \$1,000 AND \$20,000 OR WITH PRIOR CONVICTIONS
14				
15				
16	5			
17	750.535a	Pub ord	E	Operating a chop shop
5				
18	750.535b	Pub saf	E	Stolen firearms or ammunition
10				
19	750.539c	Pub ord	H	Eavesdropping
2				
20	750.539d	Pub ord	H	Installing eavesdropping device
21	2			
22	750.539e	Pub ord	H	Divulging information obtained by eavesdropping
23	2			
24	750.539f	Pub ord	H	Manufacture or possession of eavesdropping device
25	2			
26	750.540	Pub ord	H	Tapping or cutting telephone lines
27	2			
28	750.540c(3)	Property	F	Telecommunications and computer -- manufacture or deliver counterfeit communications
29				
30				
31	4			
32	750.540f(2)	Property	E	Telecommunications and computer -- knowingly publishing counterfeit devices -- second conviction
33				
34				
35	5			
36	750.540g(1)(c)	Property	E	Telecommunications -- diverting value
37				

06668'98

1				\$1,000-\$20,000 or <del>priors</del>
2				WITH PRIOR CONVICTIONS
5				
3	750.540g(1)(d)	Property	D	Telecommunications -- divert-
4				ing value >\$20,000 or
5				<del>priors</del> WITH PRIOR
6				CONVICTIONS
10				
7	750.545	Pub ord	E	Misprision of treason
5				
8	750.552b	Property	F	Trespassing on correctional
9				facility property
4				
10	Sec. 17. This chapter applies to the following felonies			
11	enumerated in chapters 751 to 830 of the Michigan Compiled Laws:			
12	<b>M.C.L.</b>	<b>Category</b>	<b>Class</b>	<b>Description</b>
	<b>Stat Max</b>			
13	752.191	Pub saf	G	Felonious driving
2				
14	752.365(3)	Pub ord	G	Obscenity -- second offense
2				
15	752.541	Pub saf	D	Riot
10				
16	752.542	Pub saf	D	Incitement to riot
10				
17	752.542a	Pub saf	D	Riot in state correctional
18				facilities
10				
19	752.543	Pub saf	G	Unlawful assembly
5				
20	<del>752.701</del>	<del>Property</del>	<del>H</del>	<del>Destruction or removal of</del>
21				<del>timber</del>
1				
22	752.797(1)(c)	Property	E	Computer fraud -- 2 prior con-
23				victions or value between
24				\$1,000 and \$20,000
5				
25	752.797(1)(d)	Property	D	Computer fraud -- 3 or more
26				prior convictions or value
27				over \$20,000
10				
28	752.802	Property	H	Vending machines --
29				manufacture/sale of slugs
5				
30	752.811	Property	H	Breaking and entering a coin
31				operated device
3				
32	752.861	Person	G	Careless discharge of firearm
33				causing injury or death
2				

34 752.881

35  
2

Person

G Reckless use of bow and arrow  
resulting in injury or death

06668'98

1 2 3 4	752.1003	Property	F	Health care fraud -- false claim/state, unnecessary, conceal information
4 5 4	752.1004	Property	F	Health care fraud -- kickbacks/referral fees
6 7 10	752.1005	Property	H	Health care fraud -- conspiracy
8 9 20	752.1006	Property	D	Health care fraud -- second offense
10 4	752.1027	Person	F	Assisted suicide
11 12 5	752.1054(2)	Property	G	Copying audio/video recordings for gain
13 14 15	764.1e	Pub trst	C	Peace officer -- false statement in a complaint
15 16 4	767.4a	Pub trst	F	Disclosing or possessing grand jury information
17 18 5	800.281(1)	Pub saf	H	Furnishing prisoner with contraband
19 20 5	800.281(2)	Pub saf	H	Furnishing prisoner with contraband outside
21 22 5	800.281(3)	Pub saf	H	Bringing contraband into prisons
23 5	800.281(4)	Pub saf	E	Prisoner possessing contraband
24 25 5	800.283(1)	Pub saf	E	Furnishing weapon to prisoner in prison
26 27 28 5	800.283(2)	Pub saf	E	Prisons -- knowledge of a weapon in a correctional facility
29 5	800.283(3)	Pub saf	E	Bringing weapon into prison
30 5	800.283(4)	Pub saf	E	Prisoner possessing weapon

