

**SENATE BILL NO. 575**

June 5, 1997, Introduced by Senators ROGERS, SCHUETTE and SHUGARS and referred to the Committee on Gaming and Casino Oversight.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as added by 1995 PA 187.

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

1       Sec. 159g. As used in this chapter, "racketeering" means  
2 committing, attempting to commit, conspiring to commit, or aiding  
3 or abetting, soliciting, coercing, or intimidating a person to  
4 commit an offense for financial gain, involving any of the  
5 following:

6       (a) A felony violation of section 8 of the tobacco products  
7 tax act, ~~Act No. 327 of the Public Acts of 1993, being section~~  
8 ~~205.428 of the Michigan Compiled Laws~~ 1993 PA 327, MCL 205.428,  
9 concerning tobacco product taxes, or ~~former~~ section 9 of ~~Act~~

1 ~~No. 265 of the Public Acts of 1947~~ FORMER 1947 PA 265,  
2 concerning cigarette taxes.

3 (b) A violation of section 11151(3) of the natural resources  
4 and environmental protection act, ~~Act No. 451 of the Public Acts~~  
5 ~~of 1994, being section 324.11151 of the Michigan Compiled Laws~~  
6 1994 PA 451, MCL 324.11151, or ~~former~~ section 48(3) of ~~Act~~  
7 ~~No. 64 of the Public Acts of 1979~~ FORMER 1979 PA 64, concerning  
8 felonious disposal of hazardous waste.

9 (c) A felony violation of part 74 or section 17766a of the  
10 public health code, ~~Act No. 368 of the Public Acts of 1978,~~  
11 ~~being sections 333.7401 to 333.7461 and 333.17766a of the~~  
12 ~~Michigan Compiled Laws~~ 1978 PA 368, MCL 333.7401 TO 333.7461 AND  
13 333.7766A, concerning controlled substances or androgenic ana-  
14 bolic steroids.

15 (d) A felony violation of section 60 of the social welfare  
16 act, ~~Act No. 280 of the Public Acts of 1939, being section~~  
17 ~~400.60 of the Michigan Compiled Laws~~ 1939 PA 280, MCL 400.60,  
18 concerning welfare fraud.

19 (e) A violation of section 4, 5, or 7 of the medicaid false  
20 claim act, ~~Act No. 72 of the Public Acts of 1977, being sections~~  
21 ~~400.604, 400.605, and 400.607 of the Michigan Compiled Laws~~ 1977  
22 PA 72, MCL 400.604, 400.605, AND 400.607, concerning medicaid  
23 fraud.

24 (F) A FELONY VIOLATION OF SECTION 18 OF THE MICHIGAN GAMING  
25 CONTROL AND REVENUE ACT, THE INITIATED LAW OF 1996, MCL 432.218,  
26 CONCERNING CASINO GAMING.

1 (G) ~~(f)~~ A violation of section 409 of the uniform  
2 securities act, ~~Act No. 265 of the Public Acts of 1964, being~~  
3 ~~section 451.809 of the Michigan Compiled Laws~~ 1964 PA 265, MCL  
4 451.809, concerning securities fraud.

5 (H) ~~(g)~~ A violation of section 5 or 7 of ~~Act No. 33 of~~  
6 ~~the Public Acts of 1978, being sections 722.675 and 722.677 of~~  
7 ~~the Michigan Compiled Laws~~ 1978 PA 33, MCL 722.675 AND 722.677,  
8 concerning the display or dissemination of obscene matter to  
9 minors.

10 (I) ~~(h)~~ A felony violation of section 72, 73, 74, 75, or  
11 77, concerning arson.

12 (J) ~~(i)~~ A violation of section 93, 94, 95, or 96, concern-  
13 ing bank bonds, bills, notes, and property.

14 (K) A VIOLATION OF SECTION 110 OR 110A, CONCERNING BREAKING  
15 AND ENTERING OR HOME INVASION.

16 (L) ~~(j)~~ A violation of section 117, 118, 119, 120, 121, or  
17 124, concerning bribery.

18 (M) ~~(k)~~ A violation of section 120a, concerning jury  
19 tampering.

20 (N) ~~(l)~~ A violation of section 145c, concerning child sex-  
21 ually abusive activity or material.

22 (O) ~~(m)~~ A felony violation of section 157n, 157p, 157q,  
23 157r, 157s, 157t, or 157u, concerning credit cards or financial  
24 transaction devices.

25 (P) ~~(n)~~ A felony violation of section 174, 175, 176, 180,  
26 181, or 182, concerning embezzlement.

1           (Q) ~~(o)~~ A felony violation of chapter XXXIII, concerning  
2 explosives and bombs.

3           (R) ~~(p)~~ A violation of section 213, concerning extortion.

4           (S) ~~(q)~~ A felony violation of section 218, concerning  
5 false pretenses.

6           (T) A FELONY VIOLATION OF SECTION 223(2), 224(1)(A), (B), OR  
7 (C), 224B, 224C, 224E(1), 226, 227, 234A, 234B, OR 237A, CONCERN-  
8 ING FIREARMS OR DANGEROUS WEAPONS.

9           (U) ~~(r)~~ A felony violation of chapter XLI, concerning  
10 forgery and counterfeiting.

11          (V) ~~(s)~~ A violation of section 271, 272, 273, or 274, con-  
12 cerning securities fraud.

13          (W) A VIOLATION OF SECTION 300A, CONCERNING FOOD STAMPS OR  
14 COUPONS OR ACCESS DEVICES.

15          (X) ~~(t)~~ A violation of section 301, 302, 303, 304, 305,  
16 305a, or 313, concerning gambling.

17          (Y) ~~(u)~~ A violation of section 316 or 317, concerning  
18 murder.

19          (Z) ~~(v)~~ A violation of section 330, 331, or 332, concern-  
20 ing horse racing.

21          (AA) ~~(w)~~ A violation of section 349, 349a, or 350, con-  
22 cerning kidnapping.

23          (BB) ~~(x)~~ A felony violation of chapter LII, concerning  
24 larceny.

25          (CC) ~~(y)~~ A violation of section 411k, concerning money  
26 laundering.

1 (DD) ~~(z)~~ A violation of section 422, 423, 424, or 425,  
2 concerning perjury ~~and~~ OR subornation of perjury.

3 (EE) ~~(aa)~~ A violation of section 452, 455, 457, 458, or  
4 459, concerning prostitution.

5 ~~(bb) A felony violation of section 223(2); 224(1)(a), (b),  
6 or (c); 224b; 224c; 224e(1); 226; 227; 234a; 234b; or 237a con-  
7 cerning firearms and dangerous weapons.~~

8 (FF) ~~(cc)~~ A violation of section 529, 529a, 530, or 531,  
9 concerning robbery.

10 (GG) ~~(dd)~~ A felony violation of section 535, 535a, or  
11 536a, concerning stolen, embezzled, or converted property.

12 (HH) ~~(ee)~~ A violation of section 5 of ~~Act No. 343 of the  
13 Public Acts of 1984, being section 752.365 of the Michigan  
14 Compiled Laws~~ 1984 PA 343, MCL 752.365, concerning obscenity.

15 ~~(ff) A violation of section 110 or 110a, concerning break-  
16 ing and entering or home invasion.~~

17 ~~(gg) A violation of section 300a, concerning food stamps or  
18 coupons or access devices.~~

19 (II) ~~(h)~~ An offense committed within this state or another  
20 state that constitutes ~~"racketeering activity" under~~  
21 RACKETEERING ACTIVITY AS DEFINED IN section 1961(1) of title 18  
22 of the United States Code, 18 U.S.C. 1961.

23 (JJ) ~~(ii)~~ An offense committed within this state or  
24 another state in violation of a law of the United States that is  
25 substantially similar to a violation listed in subdivisions (a)  
26 through ~~(gg)~~ (HH).

1           (KK) ~~(jj)~~ An offense committed in another state in  
2 violation of a statute of ~~the~~ THAT state ~~in which the offense~~  
3 ~~was committed~~ that is substantially similar to a violation  
4 listed in subdivisions (a) through ~~(gg)~~ (HH).