

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5184

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 17 of chapter XVII (MCL 777.17), as amended
by 1999 PA 67.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XVII

2 Sec. 17. (1) This chapter applies to the following felonies
3 enumerated in chapters 751 to 830 of the Michigan Compiled Laws:

4 M.C.L.	Category	Class	Description	Stat	Max
5 752.191	Pub	saf	G Felonious driving		2
6 752.365(3)	Pub	ord	G Obscenity -- second offense		2
7 752.541	Pub	saf	D Riot		10
8 752.542	Pub	saf	D Incitement to riot		10

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1	752.542a	Pub saf	D	Riot in state correctional facilities	10
2					
3	752.543	Pub saf	G	Unlawful assembly	5
4	752.701	Property	H	Destruction or removal of timber	1
5					
6	752.797(1)(c)	Property	E	Computer fraud -- 2 prior convictions or value between \$1,000 and \$20,000	5
7					
8					
9	752.797(1)(d)	Property	D	Computer fraud -- 3 or more prior convictions or value over \$20,000	10
10					
11					
12	752.797(2)(A)	PROPERTY	E	UNLAWFULLY ACCESSING COMPUTER, COMPUTER SYSTEM, OR COMPUTER PROGRAM	5
13					
14					
15	752.797(2)(B)	PROPERTY	D	UNLAWFULLY ACCESSING COMPUTER, COMPUTER SYSTEM, OR COMPUTER PROGRAM, WITH PRIOR CONVICTION	10
16					
17					
18					
19	752.797(3)(B)	VARIABLE	G	USING COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN 1 YEAR BUT LESS THAN 2 YEARS	2
20					
21					
22					
23	752.797(3)(C)	VARIABLE	F	USING COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF AT LEAST 2 YEARS BUT LESS THAN 4 YEARS	4
24					
25					
26					
27					
28	752.797(3)(D)	VARIABLE	D	USING COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF AT LEAST 4 YEARS BUT LESS THAN 10 YEARS	7
29					
30					
31					
32					
33	752.797(3)(E)	VARIABLE	D	USING COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF AT LEAST 10 YEARS BUT LESS THAN 20 YEARS	10
34					
35					
36					
37					
38	752.797(3)(F)	VARIABLE	B	USING COMPUTER TO COMMIT CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF AT LEAST 20 YEARS OR FOR LIFE	20
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40					
41					

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1	752.802	Property	H	Vending machines --	
2				manufacture/sale of slugs	5
3	752.811	Property	H	Breaking and entering a coin	
4				operated device	3
5	752.861	Person	G	Careless discharge of firearm	
6				causing injury or death	2
7	752.881	Person	G	Reckless use of bow and arrow	
8				resulting in injury or death	2
9	752.1003	Property	F	Health care fraud -- false	
10				claim/state, unnecessary,	
11				conceal information	4
12	752.1004	Property	F	Health care fraud --	
13				kickbacks/referral fees	4
14	752.1005	Property	H	Health care fraud --	
15				conspiracy	10
16	752.1006	Property	D	Health care fraud -- second	
17				offense	20
18	752.1027	Person	F	Assisted suicide	4
19	752.1054(2)	Property	G	Copying audio/video recordings	
20				for gain	5
21	764.1e	Pub trst	C	Peace officer -- false state-	
22				ment in a complaint	15
23	767.4a	Pub trst	F	Disclosing or possessing grand	
24				jury information	4
25	800.281(1)	Pub saf	H	Furnishing prisoner with	
26				contraband	5
27	800.281(2)	Pub saf	H	Furnishing prisoner with con-	
28				traband outside	5
29	800.281(3)	Pub saf	H	Bringing contraband into	
30				prisons	5
31	800.281(4)	Pub saf	E	Prisoner possessing contraband	5
32	800.283(1)	Pub saf	E	Furnishing weapon to prisoner	
33				in prison	5
34	800.283(2)	Pub saf	E	Prisons -- knowledge of a	
35				weapon in a correctional	
36				facility	5

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1	800.283(3)	Pub saf	E	Bringing weapon into prison	5
2	800.283(4)	Pub saf	E	Prisoner possessing weapon	5
3	801.262(1)(a)	Pub saf	E	Bringing weapon into jail	5
4	801.262(1)(b)	Pub saf	E	Furnishing weapon to prisoner	
5				in jail	5
6	801.262(2)	Pub saf	E	Prisoner in jail possessing	
7				weapon	5
8	801.263(1)	Pub saf	H	Furnishing contraband to pris-	
9				oner in jail	5
10	801.263(2)	Pub saf	H	Prisoner in jail possessing	
11				contraband	5

12 (2) FOR A VIOLATION OF SECTION 797(3)(B), (C), (D), (E), OR
13 (F) OF 1979 PA 53, MCL 752.797, DETERMINE THE OFFENSE CATEGORY,
14 OFFENSE VARIABLE LEVEL, AND PRIOR RECORD LEVEL BASED ON THE
15 UNDERLYING OFFENSE.

16 Enacting section 1. This amendatory act takes effect 90
17 days after the date it is enacted.

18 Enacting section 2. This amendatory act does not take
19 effect unless all of the following bills of the 90th Legislature
20 are enacted into law:

21 (a) Senate Bill No. 893.

22 (b) Senate Bill No. 894.

23

24 (c) House Bill No. 5185.

25 (d) House Bill No. 5186.

26 (e) House Bill No. 5187.