

# HOUSE BILL No. 5557

April 11, 2000, Introduced by Reps. Kowall, Faunce, Hager, Van Woerkom, Bradstreet, Garcia, Mortimer, Gilbert, Vander Roest, Bishop, Mead, Pumford, Kukuk, Shulman, Shackleton, Sanborn, Bisbee, Woronchak, Caul, Rocca, Richner, O'Neil, Frank, Pestka, Rivet, Switalski, Wojno, Gielegem, Jacobs, Cameron Brown, Richardville and Vear and referred to the Committee on Criminal Law and Corrections.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending sections 13 and 18 of chapter XVII (MCL 777.13 and  
777.18), section 13 as amended by 1999 PA 61 and section 18 as  
added by 1998 PA 317.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### 1 CHAPTER XVII

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

4 M.C.L.	Category Class Description			Stat Max
5 324.1608	Person	G	Resisting and obstructing con-	2
6			servation officer	
7 324.2157(3)	Property	H	State owned property -- dam-	180 days
8			ages of \$1,000 or more	

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1 2	324.3115(2)	Pub saf	H	Waste discharge violations -- second offense	2
3	324.5531(4)	Pub saf	H	Knowingly releasing pollutants	2
4 5 6	324.5531(5)	Pub saf	G	Knowingly releasing pollutants -- causing death or serious bodily injury	6
7 8 9	324.5531(6)	Pub saf	C	Knowingly releasing pollutants -- resulting in death or serious bodily injury	15
10 11 12	324.8905(2)	Pub saf	H	Infectious waste/pathological waste/sharps -- littering violation	2
13 14 15	324.8905(3)	Pub saf	G	Infectious waste/pathological waste/sharps -- littering violation -- second offense	5
16 17	324.11151(2)	Pub saf	H	Hazardous waste violations -- second or subsequent offense	2
18 19 20	324.11151(3)	Pub saf	H	Hazardous waste violation -- with disregard for human life	2
21 22 23	324.11151(3)	Pub saf	G	Hazardous waste violation -- with extreme indifference for human life	5
24 25 26	324.12116(2)	Pub saf	H	Waste -- false statement or entry in a license application	2
27 28 29	324.20139(3)	Pub saf	H	Hazardous waste -- knowingly releases or causes the release	2
30 31 32	324.21324(1)	Pub saf	G	Underground storage tanks -- false or misleading information	5
33 34 35	324.21548(1)	Pub trst	H	False statement, report, claim, bid, work invoice, or other request for payment	5
36 37	324.30316(3)	Pub saf	H	NREPA violation -- subsequent offense	2
38 39 40	324.31525	Person	G	NREPA -- imminent danger of death or serious injury -- subsequent offense	2

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1 2	324.33939(1)	Pub trst	H	NREPA violation for commercial purposes	2
3 4 5 6	324.40118(11)	Pub ord	G	Wildlife conservation -- buying selling protected animals -- subsequent offense	4
7 8	324.51120(2)	Property	H	Removing forest products over \$2,500	3
9	324.51512	Pub saf	D	Willfully setting forest fires	10
10	324.61511	Pub trst	G	False affidavit under NREPA	5
11	324.61521(1)	Pub trst	G	Evading rule under NREPA	3
12 13 14	324.76107(4)	Pub trst	G	Recovering abandoned property in Great Lakes without permit	2
15 16	324.80130d(1)	Pub ord	H	False representation to obtain personal information	4
17 18 19	324.80130d(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
20 21 22	324.80130d(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
23 24	324.80172	Person	G	Negligent crippling or homi- cide by vessel	2
25 26	324.80173	Person	G	Felonious operation of a vessel	2
27 28	324.80176(4)	Person	C	Operating a vessel under the influence causing death	15
29 30 31	324.80176(5)	Person	E	Operating a vessel under the influence causing long-term incapacitating injury	5
32 33 34	324.80177(1)(c)	Pub saf	E	Operating a vessel under the influence -- third or subse- quent offense	5
35 36	324.80319a(1)	Pub ord	H	False representation to obtain personal information	4

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1	324.80319a(2)	Pub ord	G	False representation to obtain	
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2				personal information --	
3				second offense	7
4	324.80319a(3)	Pub ord	C	False representation to obtain	
5				personal information --	
6				third or subsequent offense	15
7	324.81120(1)	Pub ord	H	False representation to obtain	
8				personal information	4
9	324.81120(2)	Pub ord	G	False representation to obtain	
10				personal information --	
11				second offense	7
12	324.81120(3)	Pub ord	C	False representation to obtain	
13				personal information --	
14				third or subsequent offense	15
15	324.81134(6)	Pub saf	E	Operating an ORV under the	
16				influence -- third offense	4
17	324.82127(4)	Person	C	Operating a snowmobile under	
18				the influence causing death	15
19	324.82127(5)	Person	E	Operating a snowmobile under	
20				the influence causing	
21				long-term incapacitating	
22				injury	5
23	324.82128(1)(c)	Pub saf	E	Operating a snowmobile under	
24				the influence -- third	
25				offense	5
26	324.82160(1)	Pub ord	H	False representation to obtain	
27				personal information	4
28	324.82160(2)	Pub ord	G	False representation to obtain	
29				personal information --	
30				second offense	7
31	324.82160(3)	Pub ord	C	False representation to obtain	
32				personal information --	
33				third or subsequent offense	15
34	328.232	Property	E	Conversion of funeral	
35				contracts	5
36	333.2685	Person	E	Use of a live human embryo,	
37				fetus for nontherapeutic	
38				research	5

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2				fetus without mother's	
3				consent	5
4	333.2689	Person	E	Abortion to obtain embryo	5
5	333.2690	Person	E	Sale or delivery of fetus or	
6				embryo	5
7	333.2835(9)	Pub trst	G	Disclosing confidential infor-	
8				mation -- abortion	3
9	333.5210	Person	F	AIDS -- sexual penetration	
10				with uninformed partner	4
11	333.5661	Person	F	Fraud resulting in patient	
12				death	4
13	333.7341(8)	CS	G	Delivery or manufacture or	
14				imitation controlled	
15				substance	2
16	333.7401(2)(a)(i)	CS	A	Delivery or manufacture of	
17				>649 grams by juvenile	Life
18	333.7401(2)(a)(iii)	CS	B	Delivery or manufacture of	
19				50-224 grams	20
20	333.7401(2)(a)(iv)	CS	D	Delivery or manufacture of <50	
21				grams	20
22	333.7401(2)(b)	CS	E	Delivery or manufacture sched-	
23				ule 1/2/3 except marijuana	7
24	333.7401(2)(c)	CS	F	Delivery or manufacture sched-	
25				ule 4	4
26	333.7401(2)(d)(i)	CS	C	Delivery or manufacture >45	
27				kilos of marijuana	15
28	333.7401(2)(d)(ii)	CS	D	Delivery or manufacture of	
29				5-45 kilos of marijuana	7
30	333.7401(2)(d)(iii)	CS	F	Delivery or manufacture <5	
31				kilos or 20 plants of	
32				marijuana	4
33	333.7401(2)(e)	CS	G	Delivery or manufacture sched-	
34				ule 5	2
35	333.7401(2)(f)	CS	D	Delivery or manufacture of an	
36				official or counterfeit	
37				prescription form	20

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1	333.7401(2)(g)	CS	D	Delivery or manufacture	
2				prescription or counterfeit	

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3				form (other than official)	7
4	333.7401A	PERSON	C	DELIVERY OF CONTROLLED SUB-	
5				STANCE OR	
6				GAMMA-BUTYROLACTONE TO	
7				COMMIT OR ATTEMPT TO COMMIT	
8				CRIMINAL SEXUAL CONDUCT	20
9	333.7401B(3)(A)	CS	E	DELIVERY OR MANUFACTURE OF	
10				GAMMA-BUTYROLACTONE	7
11	333.7401B(3)(B)	CS	G	POSSESSION OF	
12				GAMMA-BUTYROLACTONE	2
13	333.7402(2)(a)	CS	D	Delivery or manufacture of an	
14				imitation controlled	
15				substance	10
16	333.7402(2)(b)	CS	E	Delivery or manufacture imita-	
17				tion controlled substance	
18				schedule 1/2/3	5
19	333.7402(2)(c)	CS	F	Delivery or manufacture imita-	
20				tion controlled substance	
21				schedule 4	4
22	333.7402(2)(d)	CS	G	Delivery or manufacture imita-	
23				tion controlled substance	
24				schedule 5	2
25	333.7402(2)(e)	CS	C	Delivery or manufacture	
26				analogue	15
27	333.7403(2)(a)(i)	CS	A	Possession >649 grams by	
28				juvenile	Life
29	333.7403(2)(a)(iii)	CS	B	Possession 50-224 grams	20
30	333.7403(2)(a)(iv)	CS	G	Possession of 25-49 grams	4
31	333.7403(2)(a)(v)	CS	G	Possession of <25 grams	4
32	333.7403(2)(b)	CS	G	Possession certain schedule	
33				1/2/3/4 or analogue	2
34	333.7403(2)(e)	CS	H	Possession of official pre-	
35				scription form	1
36	333.7405(a)	CS	G	Controlled substance viola-	
37				tions by licensee	2

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1	333.7405(b)	CS	G	Manufacturing or distribution	
2				violations by licensee	2

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3	333.7405(c)	CS	G	Refusing lawful inspection	2
4	333.7405(d)	CS	G	Maintaining drug house	2
5 6	333.7407(1)(a)	CS	G	Controlled substance violations by licensee	4
7 8	333.7407(1)(b)	CS	G	Use of fictitious, revoked, or suspended license number	4
9 10	333.7407(1)(c)	CS	G	Obtaining controlled substance by fraud	4
11 12	333.7407(1)(d)	CS	G	False reports under controlled substance article	4
13 14	333.7407(1)(e)	CS	G	Possession of counterfeiting implements	4
15 16	333.7407(1)(f)	CS	F	Disclosing or obtaining prescription information	4
17 18	333.7407(1)(g)	CS	F	Possession of counterfeit prescription form	4
19 20 21	333.7407(2)	CS	G	Refusing to furnish records under controlled substance article	4
	[ 333.7410A	CS	G	CONTROLLED SUBSTANCE OR GAMMA-BUTYROLACTONE DELIVERY OR DISTRIBUTION IN PUBLIC OR PRIVATE PARK	2]
22 23	333.10204(1)	Pub ord	F	Transferring a human organ for valuable consideration	4
24 25	333.10204(4)	Pub saf	F	Removal of a human organ by an unauthorized individual	4
26 27	333.10205	Pub saf	F	Removal of a human organ in an unapproved facility	4
28 29	333.13738(2)	Pub saf	F	Waste disposal violations -- second offense	5
30 31	333.13738(3)	Pub saf	F	Disposing of waste -- indifference to human life	2
32 33	333.13738(3)	Pub saf	B	Disposing of waste -- extreme indifference to human life	20
34 35 36	333.16170(3)	Pub trst	F	False representation -- health professional recovery program	4

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1 2	333.16294	Pub saf	F	Health profession -- unauthorized practice	4
3	333.17766a(2)(a)	CS	F	Possession of steroids --	



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4				second offense	4
5	333.17766a(3)	CS	E	Delivery or manufacture of	
6				steroids	7
7	333.17766a(4)	CS	G	Delivery of imitation steroids	7
8	333.17766c(2)	CS	G	Possession >10 grams ephedrine	2
9	333.20142(5)	Pub trst	F	False statement -- application	
10				licensure health facility	4
11	333.21792	Pub trst	G	Nursing homes -- referral	
12				fees/bribing officials/	
13				accepting bribes	4
14	388.936	Pub trst	F	Knowingly making false state-	
15				ment -- school district	
16				loans	4
17	388.962	Pub trst	F	Knowingly making false state-	
18				ment -- school district	
19				loans	4
20	Sec. 18. This chapter applies to the following felonies:				

21	M.C.L.	Category	Description	Stat Max
22	333.7410	CS	Controlled substance OR	
23			GAMMA-BUTYROLACTONE delivery	
24			or distribution to minors or	
25			students	Variable
26	[			
27				
28				
29				
30	333.7413(2) or (3)	Pub trst	Subsequent controlled sub-	
31			stance violations	Variable
32	333.7416(1)(a)	CS	Recruiting or inducing a minor	
33			to commit a controlled sub-	
34			stance felony	Variable
35	750.157a(a)	Pub saf	Conspiracy	Variable
36	750.157c	Person	Inducing minor to commit a	
37			felony	Variable

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1	750.188	Pub ord	Voluntarily suffering prisoner	
2			to escape	Variable
3	750.367a	Property	Larceny of rationed goods	Variable

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[Enacting section 1. This amendatory act takes effect January 1, 2001.]

4 Enacting section [2]. This amendatory act does not take  
5 effect unless House Bill No. 5556  
6 of the 90th Legislature is enacted into  
7 law.