

SENATE SUBSTITUTE FOR  
HOUSE BILL NO. 5557

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), as amended by 2000 PA 279.

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-		
6			servation officer		2
7 324.2157(3)	Property	H	State owned property -- dam-		
8			ages of \$1,000 or more	180	days
9 324.3115(2)	Pub saf	H	Waste discharge violations ---		
10			<del>second offense</del>		2

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1 2	324.3115(4)	PUB SAF	G	WASTE DISCHARGE VIOLATIONS -- SUBSTANTIAL ENDANGERMENT	5
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 16	324.8905(3)	Pub saf	G	Infectious waste/pathological waste/sharps -- littering violation -- <del>second</del> SUBSEQUENT offense	5
17 18 19	324.11151(2)	Pub saf	H	Hazardous waste violations -- <del>second or</del> subsequent offense	2
20 21 22	324.11151(3)	Pub saf	H	Hazardous waste violation -- with disregard for human life	2
23 24 25	324.11151(3)	Pub saf	G	Hazardous waste violation -- with extreme indifference for human life	5
26 27 28	324.12116(2)	Pub saf	H	Waste -- false statement or entry in a license application	2
29 30 31	324.20139(3)	Pub saf	H	Hazardous waste -- knowingly releases or causes the release	2
32 33 34	324.21324(1)	Pub saf	G	Underground storage tanks -- false or misleading information	5
35 36 37	324.21548(1)	Pub trst	H	False statement, report, claim, bid, work invoice, or other request for payment	5
38 39	324.30316(3)	Pub saf	H	NREPA violation -- subsequent offense	2

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1 2 3	324.31525	Person	G	NREPA -- imminent danger of death or serious injury -- subsequent offense	2
4 5	324.33939(1)	Pub trst	H	NREPA violation for commercial purposes	2
6 7 8 9	324.40118(11)	Pub ord	G	Wildlife conservation -- buying selling protected animals -- subsequent offense	4
10 11	324.51120(2)	Property	H	Removing forest products over \$2,500	3
12	324.51512	Pub saf	D	Willfully setting forest fires	10
13 14 15 16	324.52908(3)	Property	H	Illegally cutting, removing, or transporting tree or other plant involving \$1,000 or more	180 days
17	324.61511	Pub trst	G	False affidavit under NREPA	5
18	324.61521(1)	Pub trst	G	Evading rule under NREPA	3
19 20 21	324.76107(4)	Pub trst	G	Recovering abandoned property in Great Lakes without permit	2
22 23	324.80130d(1)	Pub ord	H	False representation to obtain personal information	4
24 25 26	324.80130d(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
27 28 29	324.80130d(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
30 31	324.80172	Person	G	Negligent crippling or homicide by vessel	2
32 33	324.80173	Person	G	Felonious operation of a vessel	2
34 35	324.80176(4)	Person	C	Operating a vessel under the influence causing death	15
36 37 38	324.80176(5)	Person	E	Operating a vessel under the influence causing long-term incapacitating injury	5

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1 2 3	324.80177(1)(c)	Pub saf	E	Operating a vessel under the influence -- third or subsequent offense	5
4 5	324.80319a(1)	Pub ord	H	False representation to obtain personal information	4
6 7 8	324.80319a(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
9 10 11	324.80319a(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
12 13	324.81120(1)	Pub ord	H	False representation to obtain personal information	4
14 15 16	324.81120(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
17 18 19	324.81120(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
20 21 22	324.81134(6)	Pub saf	E	Operating an ORV under the influence -- third or subsequent offense	4
23 24	324.81134(7)	Person	C	Operating an ORV under the influence causing death	15
25 26 27	324.81134(8)	Person	E	Operating an ORV under the influence causing serious impairment	5
28 29 30 31	324.82126c(1)	Person	G	Operating a snowmobile carelessly or negligently causing death or serious impairment	2
32 33 34 35	<del>324.82126c(2)</del> 324.82126c(2)	Person	G	Operating a snowmobile without regard to safety causing serious impairment	2
36 37	324.82127(4)	Person	C	Operating a snowmobile under the influence causing death	15
38 39 40 41	324.82127(5)	Person	E	Operating a snowmobile under the influence causing long-term incapacitating injury	5

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1 2 3	324.82128(1)(c)	Pub saf	E	Operating a snowmobile under the influence -- third or subsequent offense	5
4 5	324.82160(1)	Pub ord	H	False representation to obtain personal information	4
6 7 8	324.82160(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
9 10 11	324.82160(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
12 13	328.232	Property	E	Conversion of funeral contracts	5
14 15 16	333.2685	Person	E	Use of a live human embryo, fetus for nontherapeutic research	5
17 18 19	333.2688	Person	E	Research on dead embryo or fetus without mother's consent	5
20	333.2689	Person	E	Abortion to obtain embryo	5
21 22	333.2690	Person	E	Sale or delivery of fetus or embryo	5
23 24 25	333.2813(3)	Pub trst	F	Unauthorized disclosure of social security number -- subsequent offense	4
26 27	333.2835(9)	Pub trst	G	Disclosing confidential information -- abortion	3
28 29	333.5210	Person	F	AIDS -- sexual penetration with uninformed partner	4
30 31	333.5661	Person	F	Fraud resulting in patient death	4
32 33 34	333.7341(8)	CS	G	Delivery or manufacture of imitation controlled substance	2
35 36 37 38	333.7401(2)(a)(i)	CS	A	Delivery or manufacture of 650 or more grams of certain schedule 1 or 2 controlled substances	Life

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1	333.7401(2)(a)(ii)	CS	A	Delivery or manufacture of 225	
2				or more but less than 650	
3				grams of certain schedule 1	
4				or 2 controlled substances	30
5	333.7401(2)(a)(iii)	CS	B	Delivery or manufacture of 50	
6				or more but less than 225	
7				grams of certain schedule 1	
8				or 2 controlled substances	20
9	333.7401(2)(a)(iv)	CS	D	Delivery or manufacture of	
10				less than 50 grams of cer-	
11				tain schedule 1 or 2 con-	
12				trolled substances	20
13	333.7401(2)(b)	CS	E	Delivery or manufacture of	
14				schedule 1, 2, or 3 con-	
15				trolled substance except	
16				marijuana	7
17	333.7401(2)(c)	CS	F	Delivery or manufacture of	
18				schedule 4 controlled	
19				substance	4
20	333.7401(2)(d)(i)	CS	C	Delivery or manufacture of 45	
21				or more kilograms of	
22				marijuana	15
23	333.7401(2)(d)(ii)	CS	D	Delivery or manufacture of 5	
24				or more but less than 45	
25				kilograms of marijuana	7
26	333.7401(2)(d)(iii)	CS	F	Delivery or manufacture of	
27				less than 5 kilograms or 20	
28				plants of marijuana	4
29	333.7401(2)(e)	CS	G	Delivery or manufacture of	
30				schedule 5 controlled	
31				substance	2
32	333.7401(2)(f)	CS	D	Delivery or manufacture of an	
33				official or counterfeit pre-	
34				scription form	20
35	333.7401(2)(g)	CS	D	Delivery or manufacture of	
36				prescription or counterfeit	
37				form (other than official)	7
38	333.7401a	Person	B	Delivering a controlled sub-	
39				stance OR GBL with intent to	
40				commit criminal sexual	
41				conduct	20

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1	333.7401B(3)(A)	CS	E	DELIVERY OR MANUFACTURE OF GBL	7
2	333.7401B(3)(B)	CS	G	POSSESSION OF GBL	2
3	333.7402(2)(a)	CS	D	Delivery or manufacture of an	
4				imitation controlled	
5				substance	10
6	333.7402(2)(b)	CS	E	Delivery or manufacture of	
7				schedule 1, 2, or 3 imita-	
8				tion controlled substance	5
9	333.7402(2)(c)	CS	F	Delivery or manufacture of	
10				imitation schedule 4 con-	
11				trolled substance	4
12	333.7402(2)(d)	CS	G	Delivery or manufacture of	
13				imitation schedule 5 con-	
14				trolled substance	2
15	333.7402(2)(e)	CS	C	Delivery or manufacture of	
16				controlled substance	
17				analogue	15
18	333.7403(2)(a)(i)	CS	A	Possession of 650 or more	
19				grams of certain schedule 1	
20				or 2 controlled substances	
21				by juvenile	Life
22	333.7403(2)(a)(ii)	CS	A	Possession of 225 or more but	
23				less than 650 grams of cer-	
24				tain schedule 1 or 2 con-	
25				trolled substances	30
26	333.7403(2)(a)(iii)	CS	B	Possession of 50 or more but	
27				less than 225 grams of cer-	
28				tain schedule 1 or 2 con-	
29				trolled substances	20
30	333.7403(2)(a)(iv)	CS	G	Possession of 25 or more but	
31				less than 50 grams of cer-	
32				tain schedule 1 or 2 con-	
33				trolled substances	4
34	333.7403(2)(a)(v)	CS	G	Possession of less than 25	
35				grams of certain schedule 1	
36				or 2 controlled substances	4
37	333.7403(2)(b)	CS	G	Possession of certain schedule	
38				1, 2, 3, or 4 controlled	
39				substances or controlled	
40				substances analogue	2

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1 2	333.7403(2)(e)	CS	H	Possession of official prescription form	1
3 4	333.7405(a)	CS	G	Controlled substance violations by licensee	2
5 6	333.7405(b)	CS	G	Manufacturing or distribution violations by licensee	2
7	333.7405(c)	CS	G	Refusing lawful inspection	2
8	333.7405(d)	CS	G	Maintaining drug house	2
9 10	333.7407(1)(a)	CS	G	Controlled substance violations by licensee	4
11 12	333.7407(1)(b)	CS	G	Use of fictitious, revoked, or suspended license number	4
13 14	333.7407(1)(c)	CS	G	Obtaining controlled substance by fraud	4
15 16	333.7407(1)(d)	CS	G	False reports under controlled substance article	4
17 18	333.7407(1)(e)	CS	G	Possession of counterfeiting implements	4
19 20	333.7407(1)(f)	CS	F	Disclosing or obtaining prescription information	4
21 22	333.7407(1)(g)	CS	F	Possession of counterfeit prescription form	4
23 24 25	333.7407(2)	CS	G	Refusing to furnish records under controlled substance article	4
26	<del>333.7410A</del>				
27 28 29	333.7410a	CS	G	Controlled substance offense OR OFFENSE INVOLVING GBL in or near a park	2
30 31	333.10204(1)	Pub ord	F	Transferring a human organ for valuable consideration	4
32 33	333.10204(4)	Pub saf	F	Removal of a human organ by an unauthorized individual	4
34 35	333.10205	Pub saf	F	Removal of a human organ in an unapproved facility	4



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1 2	333.13738(2)	Pub saf	F	Waste disposal violations -- second offense	5
3 4 5 6	333.13738(3)	Pub saf	F	Disposing of waste -- indifference to human life	2
		Pub saf	B	Disposing of waste -- extreme indifference to human life	20
7 8 9	333.16170(3)	Pub trst	F	False representation -- health professional recovery program	4
10 11	333.16294	Pub saf	F	Health profession -- unauthorized practice	4
12 13	333.17766a(2)	CS	F	Possession of steroids -- subsequent offense	4
14 15	333.17766a(3)	CS	E	Delivery or manufacture of steroids	7
16	333.17766a(4)	CS	G	Delivery of imitation steroids	7
17 18	333.17766c(2)	CS	G	Possession of more than 10 grams ephedrine	2
19 20	333.20142(5)	Pub trst	F	False statement -- application licensure health facility	4
21 22 23	333.21792	Pub trst	G	Nursing homes -- referral fees/bribing officials/accepting bribes	4
24	<del>338.3434A(2)</del>				
25 26 27	338.3434a(2)	Pub trst	F	Unauthorized disclosure of a social security number -- subsequent offense	4
28 29 30	388.936	Pub trst	F	Knowingly making false statement -- school district loans	4
31 32 33 34	388.962	Pub trst	F	Knowingly making false statement -- school district loans	4
	Sec. 18. This chapter applies to the following felonies:				

35	<b>M.C.L.</b>	<b>Category</b>	<b>Description</b>	<b>Stat</b>	<b>Max</b>
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1	333.7410	CS	Controlled substance offense	
2			OR OFFENSE INVOLVING GBL on	
3			or near school property	Variable
4	333.7413(2) or (3)	Pub trst	Subsequent controlled sub-	
5			stance violations	Variable
6	333.7416(1)(a)	CS	Recruiting or inducing a minor	
7			to commit a controlled sub-	
8			stance felony	Variable
9	750.157a(a)	Pub saf	Conspiracy	Variable
10	750.157c	Person	Inducing minor to commit a	
11			felony	Variable
12	750.188	Pub ord	Voluntarily suffering prisoner	
13			to escape	Variable
14	750.237a	Pub saf	Felony committed in a	
15			weapon-free school zone	Variable
16	750.367a	Property	Larceny of rationed goods	Variable
17	Enacting section 1. This amendatory act takes effect			
18	January 1, 2001.			
19	Enacting section 2. This amendatory act does not take			
20	effect unless House Bill No. 5556 of the 90th Legislature is			
21	enacted into law.			