

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 1186

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 13 of chapter XVII (MCL 777.13), 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. Max	Category Class Description			Stat
5	324.1608	Person	G	Resisting and obstructing con-	2
6				servation officer	
7	324.2157(3)	Property	H	State owned property -- dam-	180
8	days			ages of \$1,000 or more	
9	324.3115(2)	Pub saf	H	Waste discharge violations --	2
10				second offense	

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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 -- second SUBSEQUENT offense	5
17 18 19	324.11151(2)	Pub saf	H	Hazardous waste violations -- second or 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	324.31525	Person	G	NREPA -- imminent danger of	
2				death or serious injury --	
3				subsequent offense	2
4	324.33939(1)	Pub trst	H	NREPA violation for commercial	
5				purposes	2
6	324.40118(11)	Pub ord	G	Wildlife conservation --	
7				buying selling protected	
8				animals -- subsequent	
9				offense	4
10	324.51120(2)	Property	H	Removing forest products over	
11				\$2,500	3
12	324.51512	Pub saf	D	Willfully setting forest fires	10
13	324.52908(3)	Property	H	Illegally cutting, removing,	
14				or transporting tree or	
15				other plant involving \$1,000	
16				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	324.76107(4)	Pub trst	G	Recovering abandoned property	
20				in Great Lakes without	
21				permit	2
22	324.80130d(1)	Pub ord	H	False representation to obtain	
23				personal information	4
24	324.80130d(2)	Pub ord	G	False representation to obtain	
25				personal information --	
26				second offense	7
27	324.80130d(3)	Pub ord	C	False representation to obtain	
28				personal information --	
29				third or subsequent offense	15
30	324.80172	Person	G	Negligent crippling or homi-	
31				cide by vessel	2
32	324.80173	Person	G	Felonious operation of a	
33				vessel	2
34	324.80176(4)	Person	C	Operating a vessel under the	
35				influence causing death	15
36	324.80176(5)	Person	E	Operating a vessel under the	
37				influence causing long-term	
38				incapacitating injury	5

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

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

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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)(i)	CS	B	DELIVERY OR MANUFACTURE OF	
14				METHAMPHETAMINE	20
15	333.7401(2)(b)				
16	333.7401(2)(B)(ii)	CS	E	Delivery or manufacture of	
17				CERTAIN schedule 1, 2, or 3	
18				controlled substance except	
19				marijuana SUBSTANCES	7
20	333.7401(2)(c)	CS	F	Delivery or manufacture of	
21				schedule 4 controlled	
22				substance	4
23	333.7401(2)(d)(i)	CS	C	Delivery or manufacture of 45	
24				or more kilograms of	
25				marijuana	15
26	333.7401(2)(d)(ii)	CS	D	Delivery or manufacture of 5	
27				or more but less than 45	
28				kilograms of marijuana	7
29	333.7401(2)(d)(iii)	CS	F	Delivery or manufacture of	
30				less than 5 kilograms or 20	
31				plants of marijuana	4
32	333.7401(2)(e)	CS	G	Delivery or manufacture of	
33				schedule 5 controlled	
34				substance	2
35	333.7401(2)(f)	CS	D	Delivery or manufacture of an	
36				official or counterfeit pre-	
37				scription form	20
38	333.7401(2)(g)	CS	D	Delivery or manufacture of	
39				prescription or counterfeit	
40				form (other than official)	7
41	333.7401a	Person	B	Delivering a controlled	
42				substance OR GBL with intent	

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1				to commit criminal sexual	
2				conduct	20
3	333.7401B(3)(A)	CS	E	DELIVERY OR MANUFACTURE OF GBL	7
4	333.7401B(3)(B)	CS	G	POSSESSION OF GBL	2
5	333.7401C(2)(A)	CS	D	OPERATING OR MAINTAINING CON-	
6				TROLLED SUBSTANCE LABORATORY	10
7	333.7401C(2)(B)	CS	B	OPERATING OR MAINTAINING CON-	
8				TROLLED SUBSTANCE LABORATORY	
9				IN PRESENCE OF MINOR	20
10	333.7401C(2)(C)	CS	B	OPERATING OR MAINTAINING CON-	
11				TROLLED SUBSTANCE LABORATORY	
12				INVOLVING HAZARDOUS WASTE	20
13	333.7401C(2)(D)	CS	B	OPERATING OR MAINTAINING CON-	
14				TROLLED SUBSTANCE LABORATORY	
15				NEAR CERTAIN PLACES	20
16	333.7401C(2)(E)	CS	A	OPERATING OR MAINTAINING CON-	
17				TROLLED SUBSTANCE LABORATORY	
18				INVOLVING FIREARM OR OTHER	
19				HARMFUL DEVICE	25
20	333.7402(2)(a)	CS	D	Delivery or manufacture of	
21				an CERTAIN imitation con-	
22				trolled substance	
23				SUBSTANCES	10
24	333.7402(2)(b)	CS	E	Delivery or manufacture of	
25				schedule 1, 2, or 3 imita-	
26				tion controlled substance	5
27	333.7402(2)(c)	CS	F	Delivery or manufacture of	
28				imitation schedule 4 con-	
29				trolled substance	4
30	333.7402(2)(d)	CS	G	Delivery or manufacture of	
31				imitation schedule 5 con-	
32				trolled substance	2
33	333.7402(2)(e)	CS	C	Delivery or manufacture of	
34				controlled substance	
35				analogue	15
36	333.7403(2)(a)(i)	CS	A	Possession of 650 or more	
37				grams of certain schedule 1	
38				or 2 controlled substances	
39				by juvenile	Life

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1	333.7403(2)(a)(ii)	CS	A	Possession of 225 or more but	
2				less than 650 grams of	
3				certain schedule 1 or 2 con-	
4				trolled substances	30
5	333.7403(2)(a)(iii)	CS	B	Possession of 50 or more but	
6				less than 225 grams of cer-	
7				tain schedule 1 or 2 con-	
8				trolled substances	20
9	333.7403(2)(a)(iv)	CS	G	Possession of 25 or more but	
10				less than 50 grams of cer-	
11				tain schedule 1 or 2 con-	
12				trolled substances	4
13	333.7403(2)(a)(v)	CS	G	Possession of less than 25	
14				grams of certain schedule 1	
15				or 2 controlled substances	4
16	333.7403(2)(B)(i)	CS	D	POSSESSION OF METHAMPHETAMINE	10
17	333.7403(2)(b)				
18	333.7403(2)(B)(ii)	CS	G	Possession of certain schedule	
19				1, 2, 3, or 4 controlled	
20				substances or controlled	
21				substances analogue	2
22	333.7403(2)(e)	CS	H	Possession of official pre-	
23				scription form	1
24	333.7405(a)	CS	G	Controlled substance viola-	
25				tions by licensee	2
26	333.7405(b)	CS	G	Manufacturing or distribution	
27				violations by licensee	2
28	333.7405(c)	CS	G	Refusing lawful inspection	2
29	333.7405(d)	CS	G	Maintaining drug house	2
30	333.7407(1)(a)	CS	G	Controlled substance viola-	
31				tions by licensee	4
32	333.7407(1)(b)	CS	G	Use of fictitious, revoked, or	
33				suspended license number	4
34	333.7407(1)(c)	CS	G	Obtaining controlled substance	
35				by fraud	4
36	333.7407(1)(d)	CS	G	False reports under controlled	
37				substance article	4
38	333.7407(1)(e)	CS	G	Possession of counterfeiting	
39				implements	4

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1	333.7407(1)(f)	CS	F	Disclosing or obtaining	
2				prescription information	4
3	333.7407(1)(g)	CS	F	Possession of counterfeit pre-	
4				scription form	4
5	333.7407(2)	CS	G	Refusing to furnish records	
6				under controlled substance	
7				article	4
8	333.7410A				
9	333.7410a	CS	G	Controlled substance offense	
10				OR OFFENSE INVOLVING GBL in	
11				or near a park	2
12	333.10204(1)	Pub ord	F	Transferring a human organ for	
13				valuable consideration	4
14	333.10204(4)	Pub saf	F	Removal of a human organ by an	
15				unauthorized individual	4
16	333.10205	Pub saf	F	Removal of a human organ in an	
17				unapproved facility	4
18	333.13738(2)	Pub saf	F	Waste disposal violations --	
19				second offense	5
20	333.13738(3)	Pub saf	F	Disposing of waste -- indif-	
21				ference to human life	2
22		Pub saf	B	Disposing of waste -- extreme	
23				indifference to human life	20
24	333.16170(3)	Pub trst	F	False representation -- health	
25				professional recovery	
26				program	4
27	333.16294	Pub saf	F	Health profession -- unautho-	
28				rized practice	4
29	333.17766a(2)	CS	F	Possession of steroids -- sub-	
30				sequent offense	4
31	333.17766a(3)	CS	E	Delivery or manufacture of	
32				steroids	7
33	333.17766a(4)	CS	G	Delivery of imitation steroids	7
34	333.17766c(2)	CS	G	Possession of more than 10	
35				grams ephedrine	2
36	333.20142(5)	Pub trst	F	False statement -- application	
37				licensure health facility	4

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1	333.21792	Pub trst	G	Nursing homes -- referral	
2				fees/bribing officials/	
3				accepting bribes	4
4	338.3434A(2)				
5	338.3434a(2)	Pub trst	F	Unauthorized disclosure of a	
6				social security number --	
7				subsequent offense	4
8	388.936	Pub trst	F	Knowingly making false state-	
9				ment -- school district	
10				loans	4
11	388.962	Pub trst	F	Knowingly making false state-	
12				ment -- school district	
13				loans	4
14	Enacting section 1. This amendatory act takes effect				
15	January 1, 2001.				
16	Enacting section 2. This amendatory act does not take				
17	effect unless Senate Bill No. 1043 of the 90th Legislature is				
18	enacted into law.				