

HOUSE BILL No. 4466

April 14, 1999, Introduced by Reps. Sanborn, Tabor, Wojno, Toy, Richner, Faunce, Van Woerkom, Kukuk, Middaugh, Gosselin, Voorhees, Bisbee, DeVuyst, Woronchak, Pappageorge, Stamas, Jelinek, LaSata, Green, DeRossett, Jansen, Birkholz, Cassis and Scranton 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 section 13 of chapter XVII (MCL 777.13), 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-		
6			servation officer		2
7 324.2157(3)	Property	H	State DAMAGING STATE owned		
8			property --- damages HAVING		
9			A VALUE of \$1,000 or more	180	days

1	324.3115(2)	Pub saf	H	Waste discharge violations, ---second SUBSEQUENT offense	2
2					
3					
4	324.5531(4)	Pub saf	H	Knowingly releasing pollutants	2
5	324.5531(5)	Pub saf	G	Knowingly releasing pollutants --- causing death or seri- ous bodily injury	6
6					
7					
8	324.5531(6)	Pub saf	C	Knowingly releasing pollutants --- resulting in death or serious bodily injury	15
9					
10					
11	324.8905(2)	Pub saf	H	Infectious waste/pathological waste/sharps --- littering violation VIOLATIONS INVOLVING INFECTIOUS WASTE, PATHOLOGICAL WASTE, OR SHARPS	2
12					
13					
14					
15					
16					
17	324.8905(3)	Pub saf	G	Infectious waste/pathological waste/sharps --- littering violation --- second offense VIOLATIONS INVOLVING INFEC- TIOUS WASTE, PATHOLOGICAL WASTE, OR SHARPS, SUBSEQUENT OFFENSE	5
18					
19					
20					
21					
22					
23					
24	324.11151(2)	Pub saf	H	Hazardous waste violations, ---second or subsequent offense	2
25					
26					
27	324.11151(3)	Pub saf	H	Hazardous waste violation --- WITH disregard for human life	2
28					
29					
30	324.11151(3)	Pub saf	G	Hazardous waste violation --- WITH extreme indifference for human life	5
31					
32					
33	324.12116(2)	Pub saf	H	Waste --- false FALSE state- ment or entry in a WASTE license application	2
34					
35					
36	324.20139(3)	Pub saf	H	Hazardous waste --- knowingly releases or causes the release KNOWINGLY RELEASING A HAZARDOUS WASTE	2
37					
38					
39					
40	324.21324(1)	Pub saf	G	Underground storage tanks --- false FALSE or misleading information CONCERNING AN UNDERGROUND STORAGE TANK	5
41					
42					
43					

1	324.21548(1)	Pub trst	H	False statement, report,	
2				claim, bid, work invoice, or	
3				other request for payment	5
4	324.30316(3)	Pub saf	H	NREPA violation -- subsequent	
5				offense MISCELLANEOUS NATU-	
6				RAL RESOURCES OR ENVIRONMEN-	
7				TAL VIOLATIONS, SUBSEQUENT	
8				OFFENSE	2
9	324.31525	Person	G	NREPA --- CREATING imminent	
10				danger of death or serious	
11				injury, --- subsequent	
12				offense	2
13	324.33939(1)	Pub trst	H	NREPA violation	
14				MISCELLANEOUS NATURAL	
15				RESOURCES OR ENVIRONMENTAL	
16				VIOLATIONS for commercial	
17				purposes	2
18	324.40118(11)	Pub ord	G	Wildlife conservation --	
19				buying BUYING OR selling	
20				protected animals, --- sub-	
21				sequent offense	4
22	324.51120(2)	Property	H	Removing forest products over	
23				\$2,500	3
24	324.51512	Pub saf	D	Willfully setting forest fires	10
25	324.61511	Pub trst	G	False MAKING A FALSE affida-	
26				vit under NREPA IN VIOLA-	
27				TION OF THE NATURAL	
28				RESOURCES AND ENVIRONMENTAL	
29				PROTECTION ACT	5
30	324.61521(1)	Pub trst	G	Evading rule under NREPA	
31				PROMULGATED UNDER THE NATU-	
32				RAL RESOURCES AND ENVIRON-	
33				MENTAL PROTECTION ACT	3
34	324.76107(4)	Pub trst	G	Recovering abandoned property	
35				in Great Lakes without	
36				permit	2
37	324.80130d(1)	Pub ord	H	False representation to obtain	
38				personal information	4
39	324.80130d(2)	Pub ord	G	False representation to obtain	
40				personal information, ---	
41				second offense	7

1	324.80130d(3)	Pub ord	C	False representation to obtain personal information, ———	15
2				third or subsequent offense	
3					
4	324.80172	Person	G	Negligent crippling or homi- cide by vessel	2
5					
6	324.80173	Person	G	Felonious operation of a vessel	2
7					
8	324.80176(4)	Person	C	Operating a vessel under the influence causing death	15
9					
10	324.80176(5)	Person	E	Operating a vessel under the influence causing long-term incapacitating injury	5
11					
12					
13	324.80177(1)(c)	Pub saf	E	Operating a vessel under the influence, ——— third OR SUBSEQUENT offense	5
14					
15					
16	324.80319a(1)	Pub ord	H	False representation to obtain personal information	4
17					
18	324.80319a(2)	Pub ord	G	False representation to obtain personal information, ———	7
19				second offense	
20					
21	324.80319a(3)	Pub ord	C	False representation to obtain personal information, ———	15
22				third or subsequent offense	
23					
24	324.81120(1)	Pub ord	H	False representation to obtain personal information	4
25					
26	324.81120(2)	Pub ord	G	False representation to obtain personal information, ———	7
27				second offense	
28					
29	324.81120(3)	Pub ord	C	False representation to obtain personal information, ———	15
30				third or subsequent offense	
31					
32	324.81134(6)	Pub saf	E	Operating an ORV under the influence, ——— third OR SUBSEQUENT offense	4
33					
34					
35	324.81134(7)	PUB SAF	C	OPERATING AN ORV UNDER THE INFLUENCE OR WHILE IMPAIRED CAUSING DEATH	15
36					
37					
38	324.81134(8)	PERSON	E	OPERATING AN ORV UNDER THE INFLUENCE OR WHILE IMPAIRED	
39					

1				CAUSING LONG-TERM	
2				INCAPACITATING INJURY	5
3	324.82126C(1)	PERSON	G	OPERATING A SNOWMOBILE CARE-	
4				LESSLY OR NEGLIGENTLY CAUS-	
5				ING DEATH OR LONG-TERM INCA-	
6				PACITATING INJURY	2
7	324.82126C(2)	PERSON	G	OPERATING A SNOWMOBILE WITHOUT	
8				REGARD TO SAFETY CAUSING	
9				LONG-TERM INCAPACITATING	
10				INJURY	2
11	324.82127(4)	Person	C	Operating a snowmobile under	
12				the influence causing death	15
13	324.82127(5)	Person	E	Operating a snowmobile under	
14				the influence causing	
15				long-term incapacitating	
16				injury	5
17	324.82128(1)(c)	Pub saf	E	Operating a snowmobile under	
18				the influence, --- third OR	
19				SUBSEQUENT offense	5
20	324.82160(1)	Pub ord	H	False representation to obtain	
21				personal information	4
22	324.82160(2)	Pub ord	G	False representation to obtain	
23				personal information, ---	
24				second offense	7
25	324.82160(3)	Pub ord	C	False representation to obtain	
26				personal information, ---	
27				third or subsequent offense	15
28	328.232	Property	E	Conversion of funeral	
29				contracts	5
30	333.2685	Person	E	Use of a live human embryo ---	
31				OR fetus for nontherapeutic	
32				research	5
33	333.2688	Person	E	Research on dead embryo or	
34				fetus without mother's	
35				consent	5
36	333.2689	Person	E	Abortion PERFORMING AN	
37				ABORTION to obtain embryo	5
38	333.2690	Person	E	Sale or delivery of fetus or	
39				embryo	5

1	333.2835(9)	Pub trst	G	Disclosing confidential	
2				information --- REGARDING	
3				AN abortion	3
4	333.5210	Person	F	AIDS -- sexual SEXUAL pene-	
5				tration with uninformed	
6				WITHOUT INFORMING partner OF	
7				HIV	4
8	333.5661	Person	F	Fraud resulting in patient	
9				death	4
10	333.7341(8)	CS	G	Delivery or manufacture or	
11				OF imitation controlled	
12				substance	2
13	333.7401(2)(a)(i)	CS	A	Delivery or manufacture of	
14				→649 MORE THAN 649 grams	
15				OF A CONTROLLED SUBSTANCE by	
16				juvenile	Life
17	333.7401(2)(a)(iii)	CS	B	Delivery or manufacture of	
18				50-224 grams OF A CONTROLLED	
19				SUBSTANCE	20
20	333.7401(2)(a)(iv)	CS	D	Delivery or manufacture of	
21				←50 LESS THAN 50 grams OF	
22				A CONTROLLED SUBSTANCE	20
23	333.7401(2)(b)	CS	E	Delivery or manufacture OF A	
24				schedule 1/2/3 1, 2, OR 3	
25				CONTROLLED SUBSTANCE except	
26				marijuana	7
27	333.7401(2)(c)	CS	F	Delivery or manufacture OF A	
28				schedule 4 CONTROLLED	
29				SUBSTANCE	4
30	333.7401(2)(d)(i)	CS	C	Delivery or manufacture →45	
31				OF MORE THAN 45 kilos of	
32				marijuana	15
33	333.7401(2)(d)(ii)	CS	D	Delivery or manufacture OF	
34				5-45 kilos of marijuana	7
35	333.7401(2)(d)(iii)	CS	F	Delivery or manufacture ←5	
36				OF LESS THAN 5 kilos or 20	
37				plants of marijuana	4
38	333.7401(2)(e)	CS	G	Delivery or manufacture OF A	
39				schedule 5 CONTROLLED	
40				SUBSTANCE	2

1	333.7401(2)(f)	CS	D	Delivery or manufacture OF AN official or counterfeit prescription form	20
2					
3					
4	333.7401(2)(g)	CS	D	Delivery or manufacture pre- scription or counterfeit form (other than official)	7
5					
6					
7	333.7401A	PERSON	B	DELIVERING A CONTROLLED SUB- STANCE WITH INTENT TO COMMIT CSC	20
8					
9					
10	333.7402(2)(a)	CS	D	Delivery or manufacture OF AN imitation controlled substance	10
11					
12					
13	333.7402(2)(b)	CS	E	Delivery or manufacture OF AN imitation controlled substance schedule 1/2/3- 1, 2, OR 3 CONTROLLED SUBSTANCE	5
14					
15					
16					
17					
18	333.7402(2)(c)	CS	F	Delivery or manufacture OF AN imitation controlled substance schedule 4 CONTROLLED SUBSTANCE	4
19					
20					
21					
22	333.7402(2)(d)	CS	G	Delivery or manufacture OF AN imitation controlled substance schedule 5 CONTROLLED SUBSTANCE	2
23					
24					
25					
26	333.7402(2)(e)	CS	C	Delivery or manufacture OF A CONTROLLED SUBSTANCE analogue	15
27					
28					
29	333.7403(2)(a)(i)	CS	A	Possession →649 OF MORE THAN 649 grams OF A CONTROLLED SUBSTANCE by A juvenile	Life
30					
31					
32	333.7403(2)(a)(iii)	CS	B	Possession OF 50-224 grams OF A CONTROLLED SUBSTANCE	20
33					
34	333.7403(2)(a)(iv)	CS	G	Possession OF 25-49 grams OF A CONTROLLED SUBSTANCE	4
35					
36	333.7403(2)(a)(v)	CS	G	Possession of ←25 LESS THAN 25 grams OF A CONTROLLED SUBSTANCE	4
37					
38					
39	333.7403(2)(b)	CS	G	Possession certain OF sched- ule 1/2/3/4 1, 2, 3, OR 4 CONTROLLED SUBSTANCE or A	
40					
41					

1 2				CONTROLLED SUBSTANCE analogue	2
3 4 5	333.7403(2)(e)	CS	H	Possession UNLAWFUL POSSESSION of official pre- scription form	1
6 7	333.7405(a)	CS	G	Controlled substance viola- tions by licensee	2
8 9	333.7405(b)	CS	G	Manufacturing or distribution violations by licensee	2
10	333.7405(c)	CS	G	Refusing lawful inspection	2
11	333.7405(d)	CS	G	Maintaining drug house	2
12 13	333.7407(1)(a)	CS	G	Controlled substance viola- tions by licensee	4
14 15	333.7407(1)(b)	CS	G	Use of fictitious, revoked, or suspended license number	4
16 17	333.7407(1)(c)	CS	G	Obtaining controlled substance by fraud	4
18 19	333.7407(1)(d)	CS	G	False reports under controlled substance article	4
20 21	333.7407(1)(e)	CS	G	Possession of counterfeiting implements	4
22 23	333.7407(1)(f)	CS	F	Disclosing or obtaining pre- scription information	4
24 25	333.7407(1)(g)	CS	F	Possession of counterfeit pre- scription form	4
26 27 28	333.7407(2)	CS	G	Refusing to furnish records under controlled substance article	4
29 30	333.7410A	CS	G	DELIVERING A CONTROLLED SUB- STANCE IN A PARK	2
31 32	333.10204(1)	Pub ord	F	Transferring a human organ for valuable consideration	4
33 34	333.10204(4)	PUB SAF	F	REMOVAL OF A HUMAN ORGAN BY AN UNAUTHORIZED INDIVIDUAL	4
35 36	333.10206	PUB SAF	F	REMOVAL OF A HUMAN ORGAN IN AN UNAPPROVED FACILITY	4

1 2	333.13738(2)	Pub saf	F	Waste disposal violations, —— second offense	5
3 4	333.13738(3)	Pub saf	F	Disposing of waste ——— WITH indifference to human life	2
5 6 7	333.13738(3)	Pub saf	B	Disposing of waste ——— WITH extreme indifference to human life	20
8 9 10	333.16170(3)	Pub trst	F	False representation ——— CONCERNING health profes- sional recovery program	4
11 12 13	333.16294	Pub saf	F	Health UNAUTHORIZED PRACTICE OF A HEALTH profession—— unauthorized practice	4
14 15 16	333.17766a(2)(a)	CS	F	Possession of ANABOLIC steroids, ———second—— SUBSEQUENT offense	4
17 18	333.17766a(3)	CS	E	Delivery or manufacture of ANABOLIC steroids	7
19 20	333.17766a(4)	CS	G	Delivery of imitation ANABOLIC steroids	7
21 22 23	333.17766c(2)	CS	G	possession → 10 POSSESSION OF MORE THAN 10 grams OF ephedrine	2
24 25 26	333.20142(5)	Pub trst	F	False statement ——— IN AN application licensure TO LICENSE A health facility	4
27 28 29 30 31 32 33	333.21792	Pub trst	G	Nursing homes ——— referral fees/bribing officials/ accepting bribes PROVIDING REFERRAL FEE, BRIBING OFFI- CIALS, OR ACCEPTING BRIBE IN CONNECTION WITH A NURSING HOME	4
34 35 36	338.3434A(2)	PUB TRST	F	UNAUTHORIZED DISCLOSURE OF A SOCIAL SECURITY NUMBER, SUB- SEQUENT OFFENSE	4
37 38 39	388.936	Pub trst	F	Knowingly making false state- ment ——— INVOLVING school district loans	4

1 388.962 Pub trst F Knowingly making false
2 statement ~~---~~ INVOLVING
3 school district loans
4 Enacting section 1. This amendatory act does not take
5 effect unless all of the following bills of the 90th Legislature
6 are enacted into law:
7 (a) Senate Bill No. 381.
8 (b) House Bill No. 4025.