



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, Gielegghem, 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:

CHAPTER XVII

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

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

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
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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 2 3	324.80319a(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
4 5 6	324.80319a(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15

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

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1 2 3	333.2688	Person	E	Research on dead embryo or fetus without mother's consent	5
4	333.2689	Person	E	Abortion to obtain embryo	5
5 6	333.2690	Person	E	Sale or delivery of fetus or embryo	5
7 8	333.2835(9)	Pub trst	G	Disclosing confidential information -- abortion	3

9 10	333.5210	Person	F	AIDS -- sexual penetration with uninformed partner	4
11 12	333.5661	Person	F	Fraud resulting in patient death	4
13 14 15	333.7341(8)	CS	G	Delivery or manufacture or imitation controlled substance	2
16 17	333.7401(2)(a)(i)	CS	A	Delivery or manufacture of >649 grams by juvenile	Life
18 19	333.7401(2)(a)(iii)	CS	B	Delivery or manufacture of 50-224 grams	20
20 21	333.7401(2)(a)(iv)	CS	D	Delivery or manufacture of <50 grams	20
22 23	333.7401(2)(b)	CS	E	Delivery or manufacture schedule 1/2/3 except marijuana	7
24 25	333.7401(2)(c)	CS	F	Delivery or manufacture schedule 4	4
26 27	333.7401(2)(d)(i)	CS	C	Delivery or manufacture >45 kilos of marijuana	15
28 29	333.7401(2)(d)(ii)	CS	D	Delivery or manufacture of 5-45 kilos of marijuana	7
30 31 32	333.7401(2)(d)(iii)	CS	F	Delivery or manufacture <5 kilos or 20 plants of marijuana	4
33 34	333.7401(2)(e)	CS	G	Delivery or manufacture schedule 5	2
35 36 37	333.7401(2)(f)	CS	D	Delivery or manufacture of an official or counterfeit prescription form	20

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1 2 3	333.7401(2)(g)	CS	D	Delivery or manufacture prescription or counterfeit form (other than official)	7
4 5 6 7 8	333.7401A	PERSON	C	DELIVERY OF CONTROLLED SUBSTANCE OR GAMMA-BUTYROLACTONE TO COMMIT OR ATTEMPT TO COMMIT CRIMINAL SEXUAL CONDUCT	20
9 10	333.7401B(3)(A)	CS	E	DELIVERY OR MANUFACTURE OF GAMMA-BUTYROLACTONE	7
11 12	333.7401B(3)(B)	CS	G	POSSESSION OF GAMMA-BUTYROLACTONE	2

13 14 15	333.7402(2)(a)	CS	D	Delivery or manufacture of an imitation controlled substance	10
16 17 18	333.7402(2)(b)	CS	E	Delivery or manufacture imitation controlled substance schedule 1/2/3	5
19 20 21	333.7402(2)(c)	CS	F	Delivery or manufacture imitation controlled substance schedule 4	4
22 23 24	333.7402(2)(d)	CS	G	Delivery or manufacture imitation controlled substance schedule 5	2
25 26	333.7402(2)(e)	CS	C	Delivery or manufacture analogue	15
27 28	333.7403(2)(a)(i)	CS	A	Possession >649 grams by 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 33	333.7403(2)(b)	CS	G	Possession certain schedule 1/2/3/4 or analogue	2
34 35	333.7403(2)(e)	CS	H	Possession of official prescription form	1
36 37	333.7405(a)	CS	G	Controlled substance violations by licensee	2

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1 2	333.7405(b)	CS	G	Manufacturing or distribution violations by licensee	2
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
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 4	333.17766a(2)(a)	CS	F	Possession of steroids -- second offense	4
5 6	333.17766a(3)	CS	E	Delivery or manufacture of 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 10	333.20142(5)	Pub trst	F	False statement -- application licensure health facility	4
11 12 13	333.21792	Pub trst	G	Nursing homes -- referral fees/bribing officials/accepting bribes	4
14 15 16	388.936	Pub trst	F	Knowingly making false statement -- school district 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
26 333.7410A	CS	CONTROLLED SUBSTANCE OR	
27		GAMMA-BUTYROLACTONE DELIVERY	
28		OR DISTRIBUTION IN PUBLIC OR	
29		PRIVATE PARK	2
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
 4 Enacting section 1. This amendatory act does not take
 5 effect unless Senate Bill No. ____ or House Bill No. 5556
 6 (request no. 06114'00) of the 90th Legislature is enacted into
 7 law.

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Final page.

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