

Act No. 459
Public Acts of 2000
Approved by the Governor
January 10, 2001
Filed with the Secretary of State
January 10, 2001
EFFECTIVE DATE: March 28, 2001

**STATE OF MICHIGAN
90TH LEGISLATURE
REGULAR SESSION OF 2000**

Introduced by Rep. Garcia

ENROLLED HOUSE BILL No. 6015

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2000 PA 279.

The People of the State of Michigan enact:

CHAPTER XVII

Sec. 12. This chapter applies to the following felonies enumerated in chapters 200 to 299 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
205.27(1)(a)	Pub trst	G	Failure to file or false tax return or payment	5
205.27(1)(b)	Pub trst	G	Aiding and abetting tax evasion or filing false returns	5
205.27(1)(c)	Pub trst	G	Making/permitting false tax returns or payments	5
205.27(3)	Pub trst	G	False tax returns/perjury	15
205.28(1)(e)	Pub trst	G	State employee compromising taxes	5
205.28(1)(f)	Pub trst	G	Unauthorized disclosure of tax information	5
205.428(2)	Pub trst	G	Tobacco products tax act violations	5

205.428(3)	Pub trst	G	Illegal sale of cigarettes or other tobacco products with wholesale price of \$250.00 or more	5
205.428(6)	Pub trst	F	Illegal tobacco stamp or tobacco stamp device	10
205.428(7)	Pub trst	G	Illegal vending machine license, disk, or marker	5
207.118a	Pub ord	G	Gasoline tax—embezzlement over \$100	10
207.119	Pub trst	G	Gasoline or motor fuel tax violation	4
207.127c	Pub ord	G	Diesel fuel tax—embezzlement over \$100	10
207.754(3)	Pub trst	G	State treasurer—municipality tax—divulging confidential information	5
252.311	Property	H	Destroying a tree or shrub to make a sign more visible	2
257.233a(7)	Pub ord	G	Odometer tampering	5
257.254	Property	E	Possessing stolen vehicle title	10
257.257(1)	Property	G	Altering or forging vehicle documents—first offense	5
257.257(2)	Property	G	Altering or forging vehicle documents—second offense	7
257.257(3)	Property	E	Altering or forging vehicle documents—third or subsequent offense	15
257.309(6)	Pub ord	F	Corrupting an examining officer	5
257.309(7)	Pub ord	F	Deviating from road test criteria	5
257.309(8)	Pub ord	F	Forging, counterfeiting, or altering road test certification	5
257.312b(6)	Pub ord	F	Corrupting a person or agency conducting a motorcycle driving test	5
257.312b(7)	Pub ord	F	Deviating from motorcycle road test criteria	5
257.312b(8)	Pub ord	F	Forging, counterfeiting, or altering motorcycle road test certification	5
257.329(1)	Property	G	Possession/sale of stolen or counterfeit insurance certificates	5
257.329(2)	Property	E	Possession/sale of stolen or counterfeit insurance certificates—second offense	7
257.329(3)	Property	E	Possession/sale of stolen or counterfeit insurance certificates—third or subsequent offense	15
257.602a(2)	Pub saf	G	Fleeing and eluding—fourth degree	2
257.602a(3)	Pub saf	E	Fleeing and eluding—third degree	5
257.602a(4)	Person	D	Fleeing and eluding—second degree	10
257.602a(5)	Person	C	Fleeing and eluding—first degree	15
257.617	Person	E	Failure to stop at scene of a serious personal injury accident	5
257.625(4)(a)	Person	C	Operating a vehicle under the influence or while impaired causing death	15
257.625(4)(b)	Person	B	Operating a vehicle under the influence or while impaired causing death to emergency personnel	20
257.625(5)	Person	E	Operating a vehicle under the influence or while impaired causing serious impairment	5
257.625(7)(a)(ii)	Person	E	Operating a vehicle under the influence or while impaired with a minor in the vehicle—subsequent offense	5
257.625(8)(c)	Pub saf	E	Operating a vehicle under the influence—third or subsequent offense	5
257.625(9)(b)	Person	E	Allowing a vehicle to be operated while under the influence or impaired causing death	5
257.625(9)(c)	Person	G	Allowing a vehicle to be operated while under the influence or impaired causing serious impairment	2

257.625(10)(c)	Pub saf	E	Impaired driving—third or subsequent offense	5
257.625k(7)	Pub saf	D	Knowingly providing false information concerning an ignition interlock device	10
257.625k(9)	Pub saf	D	Failure to report that an ignition interlock device does not meet legal requirements	10
257.625m(5)	Pub saf	E	Commercial drunk driving—third or subsequent offense	5
257.653a(3)	Person	G	Failure to use due care and caution causing injury to emergency personnel	2
257.653a(4)	Person	C	Failure to use due care and caution causing death to emergency personnel	15
257.744a	Pub saf	D	False statement in citation—perjury	15
257.902	Pub saf	E	Motor vehicle code violations	5
257.903(1)	Property	E	Motor vehicle code—false certification—first offense	5
257.903(2)	Property	E	Motor vehicle code—false certification—second offense	7
257.903(3)	Property	D	Motor vehicle code—false certification—third or subsequent offense	15
257.904(4)	Person	C	Operating a vehicle without a license causing death	15
257.904(5)	Person	E	Operating a vehicle without a license causing serious impairment	5
257.904(7)	Person	G	Allowing a vehicle to be operated without a license causing serious impairment	2
	Person	E	Allowing a vehicle to be operated without a license causing death	5
257.1353(2)	Pub trst	H	Motor vehicle—fail to record material matter—subsequent offense	2
257.1354(2)	Pub trst	H	Motor vehicle—general violations—subsequent offense	2
257.1355	Pub trst	H	Motor vehicle—fail to record transaction/falsify records	2
259.183	Property	E	Aircraft—unlawful taking or tampering	5
259.185(4)	Person	C	Operating or serving as crew of aircraft while under the influence causing death	15
259.185(5)	Person	E	Operating or serving as crew of aircraft while under the influence causing serious impairment	5
259.185(8)	Pub saf	E	Operating or serving as crew of aircraft while under the influence—third or subsequent offense	5
285.82	Pub trst	H	Grain dealers act violations	5
285.279	Pub trst	E	Falsely obtaining money—agricultural land	10
286.455(2)	Pub saf	G	Agriculture—hazardous substance	5
286.929(4)	Pub trst	G	Organic products act violations	4
287.77(1)	Pub saf	H	Agriculture—livestock condemnation	4
287.323(1)	Person	C	Dangerous animal causing death	15
287.323(2)	Person	G	Dangerous animal causing serious injury	4
287.679	Pub ord	H	Dead animals	1
287.744(1)	Pub ord	G	Animal industry act violations	5
287.855	Pub saf	G	Agriculture—contaminating livestock/false statement/violation of quarantine	5
287.967(5)	Pub ord	G	Cervidae producer violation	4
288.223	Pub saf	G	Sale or labeling of oleomargarine violations	3
288.257	Pub saf	G	Margarine violations	3
288.284	Pub trst	H	Selling falsely branded cheese	2
289.5107(2)	Pub saf	F	Adulterated, misbranded, or falsely identified food	4
290.629(1)	Person	G	Weights and measures—assaults enforcement officer	2

290.631(3)	Pub trst	G	Weights and measures	5
290.650	Person	G	Motor fuels—assaulting/obstructing director or authorized representative	2
290.650b(3)	Pub trst	H	Motor fuels violations	2

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 90th Legislature are enacted into law:

- (a) House Bill No. 4778.
- (b) House Bill No. 5549.
- (c) House Bill No. 6177.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved

Governor.