SUBSTITUTE FOR HOUSE BILL NO. 5392

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 11 of chapter XVII (MCL 777.11), as amended
by 2001 PA 154, and by adding sections 11a, 11b, 11c, 11d, and
11e to chapter XVII.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XVII 2 Sec. 11. This chapter applies to the following felonies 3 enumerated in chapters 1 to 199 of the Michigan Compiled Laws \div 4 AS SET FORTH IN SECTIONS 11A TO 11E OF THIS CHAPTER. 5 M.C.L. Category Class Description Stat Max 6 4.421(1) Pub trst G Lobbyists--compensation contingent on outcome 8 3 of action G Lobbyists giving gifts 4.421(2) Pub trst

	House Bill No. 539	92	2		
1 2 3 4 5	18.366(1)(c)	Property	E	False presentation to crime victim services commission to obtain \$1,000 to \$20,000 or with prior convictions	5 -
6 7 8 9 10	18.366(1)(d)	Property	D	False presentation to crime victim services commission to obtain \$20,000 or more or with prior convictions	- 10
11 12 13	18.1268(9)	Pub trst	H	Purposefully submitting false business certification	Fine
14 15	21.154	Pub trst	E	Public officerembezzlement	5
16 17 18 19	28.214	Pub trst	F	Unauthorized disclosure of information from LEINsubsequent offense	4
20 21	28.293(1)	Pub ord	E	False information when applying for state ID	
22 23 24	28.293(2)	Pub ord	Đ	False information when applying for state IDsecond offense	7
25 26 27 28	28.293(3)	Pub ord	С	False information when applying for state IDthird or subsequent offense	15
29 30	28.295(1)(a)	Pub ord	H	Forging state ID card to commit felony	4
31 32	28.295(3) Variable	Property	H	Using stolen state ID card to commit felony	
33 34 35	28.295a(1)	Pub ord	H	False representation to obtain or misuse personal information	4
36 37 38 39 40	28.295a(2)	Pub ord	G	False representation to obtain or misuse personal information-second offense	7
41 42	28.295a(3) H04950'01 (H-1)	Pub ord	С	False representation to obtain or misuse	

	House Bill No. 5392	2	3		
1 2 3				personal informationthird or subsequent offense	- 15
4 5	28.422	Pub saf	F	Pistolslicense applica- tion forgery	-4
6 7	28.422a(4)	Pub saf	F	False statement on pistol sales record	-4
8 9 10	28.425b(3)	Pub saf	F	False statement on con- cealed pistol permit application	4
11 12 13	28.425j(2)	Pub saf	F	Unlawful granting or presenting of pistol training certificate	- 4
14 15 16 17	28.425o(3)(c)	Pub saf	F	Carrying concealed pistol in prohibited placethird or subse- quent offense	4
18 19 20 21 22	28.435	Pub saf	- G -	Firearm sale without trigger lock, gun case, or storage containerthird or subsequent offense	2
23 24 25	28.729(1)(a)	Pub ord	F	Failure to register as a sex offender, first offense	4
26 27 28	28.729(1)(b)	Pub ord	Đ	Failure to register as a sex offender, second offense	7
29 30 31	28.729(1)(c)	Pub ord	D	Failure to register as a sex offender, third or subsequent offense	-10
32 33 34	35.929	Pub trst	H	Willful falsification in application for veter-ans benefits	3
35 36 37	35.980	Pub trst	H	False statement in appli- cation for Korean vet- erans benefits	-3
38 39 40	35.1029	Pub trst	H	False statement in appli- cation for Vietnam vet- erans benefits	3

	House Bill No. 5392		4		
1 2 3	38.412a(1)	Pub trst	H	County employee providing answers to county civil service exam	-1
4 5 6 7	38.516	Pub trst	H	Fire and police civil serviceappointment or employment contrary to act	-2
8 9 10 11	45.82	Pub trst	E	County purchasing agentviolations in awarding bids or contracts	- 5 -
12 13	47.8	Pub trst	H	Payment of claim against county before audit	_2
14 15 16	47.56	Pub trst	H	Wayne County treasurer paying claims without appropriate signature	-2
17 18 19	51.364	Pub trst	H	Appointment or selection contrary to civil serv-ice commission rules	-2
20 21 22	110.28	Pub trst	G	Fourth class citiesmisappropriation of money or property	-3
23 24 25 26 27	117.25(3)	Pub trst	E	Amendment to city electorswillfully affixing another's sig- nature, false representation	- 15 -
28 29 30 31 32	125.1447(1)(c)	Property	E	False pretenses under state housing develop- ment act involving \$1,000 to \$20,000 or with prior convictions	- 5
33 34 35 36 37 38	125.1447(1)(d)	Property	Đ	False pretenses under state housing develop- ment authority act involving \$20,000 or more or with prior convictions	-10
39 40	168.731(4)	Pub trst	G	Election lawfiling cer- tain false statements	-2
41 42	168.734	Pub trst	G	Election lawelection board refusing to	

1 2				provide challenger conveniences 2
3 4 5	168.756	Pub trst	E	Elector's false statement concerning inability to mark ballot
6 7 8	168.757	Pub trst	E	Election inspectorunlawful conduct 5
9 10	168.759(8)	Pub trst	E	Forged signature on absentee ballot 5
11 12 13	168.759b	Pub trst	E	False statement in appli- cation for emergency absentee ballot 5
14 15 16	168.761(5)	Pub trst	E	Assisting an absentee voter in making a false statement 5
17 18	168.769(4)	Pub trst	E	Voting both in person and by absentee ballot 5
19 20 21 22	168.792a(11)	Pub trst	E	Disclosing how ballot voted or election results early before polls are closed 5
23 24 25	168.792a(16)	Pub trst	E	Disclosing election result or how ballot voted 5
26 27 28	168.808	Pub trst	E	Untrue statement by member of board of inspectors 4
29 30 31 32	168.873	Pub trst	E	Misconduct of election employee in recountcounty and local 5
33 34	168.887	Pub trst	E	Misconduct of election employee in recount 5
35 36	168.932(a)	Pub trst	E	Bribing or intimidating voters 5
37	168.932(b)	Pub trst	E	Ballot tampering 5
38 39 40	168.932(c)	Pub trst	E	Destroying or falsifying election return or records 5

	House Bill No. 5392		6		
1 2	168.932(d)	Pub trst	E	Disclosing votes or obstructing voter	-5
3	168.932(e)	Pub trst	E	Absentee ballot tampering	5
4 5 6 7	168.932(f)	Pub trst	E	Election lawpossess absent voter ballot delivered to another person	-5
8 9	168.932(g)	Pub trst	E	Suggesting how a disabled voter should vote	-5
10 11 12	168.932(h)	Pub trst	E	Suggesting or influencing how an absentee voter should vote	-5
13 14 15	168.932(i)	Pub trst	E	Organizing a meeting where absentee voter ballots are to be voted	-5
16	168.932a	Pub trst	G	Election offenses	4
17 18	168.933	Pub trst	E	False swearing to regis- ter or vote	-5
19	168.936	Pub trst	E	Election lawperjury	5
20	168.937	Pub trst	E	Election lawforgery	5
21 22 23	169.254	Pub trst	H	Campaign financecorporate contributions	-3
24 25 26 27	169.255	Pub trst	H	Campaign financecorporate solicitation for cer- tain funds	-3
28 29 30	169.266	Pub trst	H	Campaign financequalified cam- paign expenditures	-3 -
31	SEC. 11A. THIS	S CHAPTER A	PPLI	ES TO THE FOLLOWING FELONIES	
32	ENUMERATED IN CHAPT	ERS 1 TO 27	OF '	THE MICHIGAN COMPILED LAWS:	
33	M.C.L.	CATEGORY C	LASS	DESCRIPTION STATE	г мах
34 35 36	4.421(1)	PUB TRST	G	LOBBYISTSCOMPENSATION CONTINGENT ON OUTCOME OF ACTION	3

	House Bill No. 5392		7		
1	4.421(2)	PUB TRST	G	LOBBYISTS GIVING GIFTS	3
2 3 4 5 6	18.366(1)(C)	PROPERTY	E	FALSE PRESENTATION TO CRIME VICTIM SERVICES COMMISSION TO OBTAIN \$1,000 TO \$20,000 OR WITH PRIOR CONVICTIONS	5
7 8 9 10 11	18.366(1)(D)	PROPERTY	D	FALSE PRESENTATION TO CRIME VICTIM SERVICES COMMISSION TO OBTAIN \$20,000 OR MORE OR WITH PRIOR CONVICTIONS	10
12 13 14	18.1268(9)	PUB TRST	Н	PURPOSEFULLY SUBMITTING FALSE BUSINESS CERTIFICATION	FINE
15 16	21.154	PUB TRST	E	PUBLIC OFFICEREMBEZZLEMENT	5
17	SEC. 11B. THIS	S CHAPTER A	PPLIE	ES TO THE FOLLOWING FELONIES	
18	ENUMERATED IN CHAPTI	ER 28 OF TH	E MIC	CHIGAN COMPILED LAWS:	
19					
ТЭ	M.C.L.	CATEGORY C	LASS	DESCRIPTION ST.	AT MAX
20 21 22 23	M.C.L. 28.214	PUB TRST	L A SS F	UNAUTHORIZED DISCLOSURE OF INFORMATION FROM LEINSUBSEQUENT OFFENSE	AT MAX
20 21 22				UNAUTHORIZED DISCLOSURE OF INFORMATION FROM LEINSUBSEQUENT	
20 21 22 23	28.214	PUB TRST	F	UNAUTHORIZED DISCLOSURE OF INFORMATION FROM LEINSUBSEQUENT OFFENSE FALSE INFORMATION WHEN	4
20 21 22 23 24 25 26 27	28.214	PUB TRST	F E	UNAUTHORIZED DISCLOSURE OF INFORMATION FROM LEINSUBSEQUENT OFFENSE FALSE INFORMATION WHEN APPLYING FOR STATE ID FALSE INFORMATION WHEN APPLYING FOR STATE	4 5
20 21 22 23 24 25 26 27 28 29 30 31	28.214 28.293(1) 28.293(2)	PUB ORD PUB ORD	F E D	UNAUTHORIZED DISCLOSURE OF INFORMATION FROM LEINSUBSEQUENT OFFENSE FALSE INFORMATION WHEN APPLYING FOR STATE ID FALSE INFORMATION WHEN APPLYING FOR STATE IDSECOND OFFENSE FALSE INFORMATION WHEN APPLYING FOR STATE IDTHIRD OR SUBSEQUENT	4 5 7
20 21 22 23 24 25 26 27 28 29 30 31 32 33	28.293(1) 28.293(2) 28.293(3)	PUB ORD PUB ORD PUB ORD	F E D	UNAUTHORIZED DISCLOSURE OF INFORMATION FROM LEINSUBSEQUENT OFFENSE FALSE INFORMATION WHEN APPLYING FOR STATE ID FALSE INFORMATION WHEN APPLYING FOR STATE IDSECOND OFFENSE FALSE INFORMATION WHEN APPLYING FOR STATE IDTHIRD OR SUBSEQUENT OFFENSE FORGING STATE ID CARD TO	4 5 7
20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35	28.293(1) 28.293(2) 28.293(3) 28.295(1)(A) 28.295(3)	PUB ORD PUB ORD PUB ORD PUB ORD	F E D	UNAUTHORIZED DISCLOSURE OF INFORMATION FROM LEINSUBSEQUENT OFFENSE FALSE INFORMATION WHEN APPLYING FOR STATE ID FALSE INFORMATION WHEN APPLYING FOR STATE IDSECOND OFFENSE FALSE INFORMATION WHEN APPLYING FOR STATE IDTHIRD OR SUBSEQUENT OFFENSE FORGING STATE ID CARD TO COMMIT FELONY USING STOLEN STATE ID	4 5 7

	House Bill No. 5	392	8		
1 2 3 4 5	28.295A(2)	PUB ORD	G	FALSE REPRESENTATION TO OBTAIN OR MISUSE PER- SONAL INFORMATIONSECOND OFFENSE	7
6 7 8 9 10	28.295A(3)	PUB ORD	С	FALSE REPRESENTATION TO OBTAIN OR MISUSE PER- SONAL INFORMATIONTHIRD OR SUBSEQUENT OFFENSE	15
11 12	28.422	PUB SAF	F	PISTOLSLICENSE APPLICA- TION FORGERY	4
13 14	28.422A(4)	PUB SAF	F	FALSE STATEMENT ON PISTOL SALES RECORD	4
15 16 17	28.425B(3)	PUB SAF	F	FALSE STATEMENT ON CON- CEALED PISTOL PERMIT APPLICATION	4
18 19 20	28.425J(2)	PUB SAF	F	UNLAWFUL GRANTING OR PRESENTING OF PISTOL TRAINING CERTIFICATE	4
21 22 23 24	28.4250(3)(C)	PUB SAF	F	CARRYING CONCEALED PISTOL IN PROHIBITED PLACETHIRD OR SUBSE- QUENT OFFENSE	4
25 26 27 28 29	28.435	PUB SAF	G	FIREARM SALE WITHOUT TRIGGER LOCK, GUN CASE, OR STORAGE CONTAINERTHIRD OR SUBSEQUENT OFFENSE	2
30 31 32	28.729(1)(A)	PUB ORD	F	FAILURE TO REGISTER AS A SEX OFFENDER, FIRST OFFENSE	4
33 34 35	28.729(1)(B)	PUB ORD	D	FAILURE TO REGISTER AS A SEX OFFENDER, SECOND OFFENSE	7
36 37 38	28.729(1)(C)	PUB ORD	D	FAILURE TO REGISTER AS A SEX OFFENDER, THIRD OR SUBSEQUENT OFFENSE	10
39	SEC. 11C.	THIS CHAPTER	APPLII	ES TO THE FOLLOWING FELONIES	
40	ENUMERATED IN CH	APTERS 29 TO	167 01	F THE MICHIGAN COMPILED LAWS:	

House Bill No. 5392

1	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT	MAX
2 3 4	35.929	PUB TRST	Н	WILLFUL FALSIFICATION IN APPLICATION FOR VETER- ANS BENEFITS		3
5 6 7	35.980	PUB TRST	Н	FALSE STATEMENT IN APPLI- CATION FOR KOREAN VET- ERANS BENEFITS		3
8 9 10	35.1029	PUB TRST	Н	FALSE STATEMENT IN APPLI- CATION FOR VIETNAM VET- ERANS BENEFITS		3
11 12 13	38.412A(1)	PUB TRST	Н	COUNTY EMPLOYEE PROVIDING ANSWERS TO COUNTY CIVIL SERVICE EXAM	ı	1
14 15 16 17	38.516	PUB TRST	Н	FIRE AND POLICE CIVIL SERVICEAPPOINTMENT OR EMPLOYMENT CONTRARY TO ACT		2
18 19 20 21	45.82	PUB TRST	E	COUNTY PURCHASING AGENTVIOLATIONS IN AWARDING BIDS OR CONTRACTS	į	5
22 23	47.8	PUB TRST	Н	PAYMENT OF CLAIM AGAINST COUNTY BEFORE AUDIT	2	2
24 25 26	47.56	PUB TRST	Н	WAYNE COUNTY TREASURER PAYING CLAIMS WITHOUT APPROPRIATE SIGNATURE	,	2
27 28 29	51.364	PUB TRST	Н	APPOINTMENT OR SELECTION CONTRARY TO CIVIL SERV- ICE COMMISSION RULES		2
30 31 32	110.28	PUB TRST	G	FOURTH CLASS CITIESMISAPPROPRIATION OF MONEY OR PROPERTY		3
33 34 35 36 37	117.25(3)	PUB TRST	E	AMENDMENT TO CITY ELECTORSWILLFULLY AFFIXING ANOTHER'S SIG- NATURE, FALSE REPRESENTATION		15
38 39 40 41 42	125.1447(1)(C)	PROPERTY	E	FALSE PRETENSES UNDER STATE HOUSING DEVELOP- MENT ACT INVOLVING \$1,000 TO \$20,000 OR WITH PRIOR CONVICTIONS	į	5

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House Bill No. 5392

1 125.1447(1)(D) PROPERTY FALSE PRETENSES UNDER D 2 STATE HOUSING DEVELOP-3 MENT AUTHORITY ACT 4 INVOLVING \$20,000 OR 5 MORE OR WITH PRIOR CONVICTIONS 10 7 SEC. 11D. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES 8 ENUMERATED IN CHAPTER 168 OF THE MICHIGAN COMPILED LAWS: M.C.L. CATEGORY CLASS DESCRIPTION STAT MAX 10 168.731(4) PUB TRST G ELECTION LAW--FILING CER-11 TAIN FALSE STATEMENTS 2 168.734 12 PUB TRST G ELECTION LAW--ELECTION 13 BOARD REFUSING TO PRO-14 VIDE CHALLENGER 15 CONVENIENCES 2 16 168.756 PUB TRST \mathbf{E} ELECTOR'S FALSE STATEMENT 17 CONCERNING INABILITY TO 5 18 MARK BALLOT 19 168.757 PUB TRST \mathbf{E} ELECTION INSPECTOR--UNLAWFUL 20 CONDUCT 5 21 22 PUB TRST FORGED SIGNATURE ON 168.759(8) \mathbf{E} 5 23 ABSENTEE BALLOT 24 168.759B PUB TRST E FALSE STATEMENT IN APPLI-

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PUB TRST

PUB TRST

CATION FOR EMERGENCY

VOTER IN MAKING A FALSE

VOTING BOTH IN PERSON AND

RESULTS EARLY BEFORE

RESULT OR HOW BALLOT

BY ABSENTEE BALLOT

DISCLOSING HOW BALLOT VOTED OR ELECTION

POLLS ARE CLOSED

DISCLOSING ELECTION

VOTED

5

5

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5

5

ABSENTEE BALLOT

STATEMENT

ASSISTING AN ABSENTEE

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168.761(5)

168.769(4)

168.792A(11) PUB TRST

168.792A(16) PUB TRST

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	House Bill No. 5392		11		
1 2 3	168.808	PUB TRST	Г Е	UNTRUE STATEMENT BY MEMBER OF BOARD OF INSPECTORS	4
4 5 6 7	168.873	PUB TRST	ГЕ	MISCONDUCT OF ELECTION EMPLOYEE IN RECOUNTCOUNTY AND LOCAL	5
8 9	168.887	PUB TRST	ГЕ	MISCONDUCT OF ELECTION EMPLOYEE IN RECOUNT	5
10 11	168.932(A)	PUB TRST	ГЕ	BRIBING OR INTIMIDATING VOTERS	5
12	168.932(B)	PUB TRST	г Е	BALLOT TAMPERING	5
13 14 15	168.932(C)	PUB TRST	Г Е	DESTROYING OR FALSIFYING ELECTION RETURN OR RECORDS	5
16 17	168.932(D)	PUB TRST	ГЕ	DISCLOSING VOTES OR OBSTRUCTING VOTER	5
18	168.932(E)	PUB TRST	г Е	ABSENTEE BALLOT TAMPERING	5
19 20 21 22	168.932(F)	PUB TRST	C E	ELECTION LAWPOSSESS ABSENT VOTER BALLOT DELIVERED TO ANOTHER PERSON	5
23 24	168.932(G)	PUB TRST	ГЕ	SUGGESTING HOW A DISABLED VOTER SHOULD VOTE	5
25 26 27	168.932(H)	PUB TRST	Г Е	SUGGESTING OR INFLUENCING HOW AN ABSENTEE VOTER SHOULD VOTE	5
28 29 30	168.932(I)	PUB TRST	ГЕ	ORGANIZING A MEETING WHERE ABSENTEE VOTER BALLOTS ARE TO BE VOTED	5
31	168.932A	PUB TRST	r G	ELECTION OFFENSES	4
32 33	168.933	PUB TRST	ΓЕ	FALSE SWEARING TO REGISTER OR VOTE	5
34	168.936	PUB TRS7	г Е	ELECTION LAWPERJURY	5
35	168.937	PUB TRS7	Г Е	ELECTION LAWFORGERY	5
36	SEC. 11E. THIS	S CHAPTER	R APPLII	ES TO THE FOLLOWING FELONIES	
37	ENUMERATED IN CHAPTI	ERS 169 T	го 199 (OF THE MICHIGAN COMPILED LAWS	:
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House Bill No. 5392 12

1	M.C.L.	CATEGORY C	LASS	DESCRIPTION	STAT	MAX
2 3 4	169.254	PUB TRST	Н	CAMPAIGN FINANCECORPORATE CONTRIBUTIONS		3
5 6 7 8	169.255	PUB TRST	Н	CAMPAIGN FINANCECORPORATE SOLICITATION FOR CER- TAIN FUNDS	ć	3
9 10 11	169.266	PUB TRST	Н	CAMPAIGN FINANCEQUALIFIED CAMPAIGN EXPENDITURES		3
12	Enacting section	on 1. This	amer	ndatory act takes effect		
13	February 1, 2002.					