

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 411

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 2001 PA 13.

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	
6				conservation officer	2
7	<del>324.2157(3)</del>	<del>Property</del>	<del>H</del>	<del>State owned property --</del>	
8				<del>damages of \$1,000 or</del>	
9				<del>more</del>	<del>180 days</del>
10	324.2157(1)(C)	PROPERTY	E	DAMAGE TO STATE PROPERTY	
11				INVOLVING \$1,000 TO	
12				\$20,000 OR WITH PRIOR	
13				CONVICTIONS	5

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1	324.2157(1)(D)	PROPERTY	D	DAMAGE TO STATE PROPERTY	
2				INVOLVING [ ]	
3				\$20,000 [OR MORE]	
4				OR WITH PRIOR	
				CONVICTIONS	10
5	324.3115(2)	Pub saf	H	Waste discharge viola-	
6				tions	2
7	324.3115(4)	Pub saf	G	Waste discharge viola-	
8				tions -- substantial	
9				endangerment	5
10	324.5531(4)	Pub saf	H	Knowingly releasing	
11				pollutants	2
12	324.5531(5)	Pub saf	G	Knowingly releasing pol-	
13				lutants -- causing	
14				death or serious bodily	
15				injury	6
16	324.5531(6)	Pub saf	C	Knowingly releasing pol-	
17				lutants -- resulting in	
18				death or serious bodily	
19				injury	15
20	324.8905(2)	Pub saf	H	Infectious	
21				waste/pathological	
22				waste/sharps -- litter-	
23				ing violation	2
24	324.8905(3)	Pub saf	G	Infectious	
25				waste/pathological	
26				waste/sharps -- litter-	
27				ing violation -- subse-	
28				quent offense	5
29	324.11151(2)	Pub saf	H	Hazardous waste viola-	
30				tions -- subsequent	
31				offense	2
32	324.11151(3)	Pub saf	H	Hazardous waste violation	
33				-- with disregard for	
34				human life	2
35	324.11151(3)	Pub saf	G	Hazardous waste violation	
36				-- with extreme indif-	
37				ference for human life	5
38	324.12116(2)	Pub saf	H	Waste -- false statement	
39				or entry in a license	
40				application	2

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1	324.20139(3)	Pub saf	H	Hazardous waste --	
2				knowingly releases or	
3				causes the release	2
4	324.21324(1)	Pub saf	G	Underground storage tanks	
5				-- false or misleading	
6				information	5
7	324.21548(1)	Pub trst	H	False statement, report,	
8				claim, bid, work	
9				invoice, or other	
10				request for payment	5
11	324.30316(3)	Pub saf	H	NREPA violation -- subse-	
12				quent offense	2
13	324.31525	Person	G	NREPA -- imminent danger	
14				of death or serious	
15				injury -- subsequent	
16				offense	2
17	324.33939(1)	Pub trst	H	NREPA violation for com-	
18				mercial purposes	2
19	324.40118(11)	Pub ord	G	Wildlife conservation --	
20				buying OR selling pro-	
21				ected animals -- sub-	
22				sequent offense	4
23	324.51120(2)	Property	H	Removing forest products	
24				over \$2,500	3
25	324.51512	Pub saf	D	Willfully setting forest	
26				fires	10
27	<del>324.52908(3)</del>	<del>Property</del>	<del>H</del>	<del>Illegally cutting, remov-</del>	
28				<del>ing, or transporting</del>	
29				<del>tree or other plant</del>	
30				<del>involving \$1,000 or</del>	
31				<del>more</del>	<del>180 days</del>
32	324.52908(1)(C)	PROPERTY	E	DAMAGE TO PLANT INVOLVING	
33				\$1,000 TO \$20,000 OR	
34				WITH PRIOR CONVICTIONS	5
35	324.52908(1)(D)	PROPERTY	D	DAMAGE TO PLANT INVOLVING	
36				\$20,000 OR MORE OR WITH	
37				PRIOR CONVICTIONS	10
38	324.61511	Pub trst	G	False affidavit under	
39				NREPA	5
40	324.61521(1)	Pub trst	G	Evading rule under NREPA	3

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1	<del>324.76107(4)</del>	<del>Pub trst</del>	<del>G</del>	<del>Recovering abandoned</del>	
2				<del>property in Great Lakes</del>	
3				<del>without permit</del>	<del>2</del>
4	324.76107(3)	PUB ORD	D	REMOVING OR MUTILATING	
5				HUMAN BODY FROM GREAT	
6				LAKES BOTOMLAND	10
7	324.76107(4)(C)	PROPERTY	E	RECOVERING ABANDONED	
8				PROPERTY IN GREAT LAKES	
9				HAVING VALUE OF \$1,000	
10				TO \$20,000 OR WITH	
11				PRIOR CONVICTIONS	5
12	324.76107(4)(D)	PROPERTY	D	RECOVERING ABANDONED	
13				PROPERTY IN GREAT LAKES	
14				HAVING VALUE OF \$20,000	
15				OR MORE OR WITH PRIOR	
16				CONVICTIONS	10
17	324.80130d(1)	Pub ord	H	False representation to	
18				obtain personal	
19				information	4
20	324.80130d(2)	Pub ord	G	False representation to	
21				obtain personal infor-	
22				mation -- second	
23				offense	7
24	324.80130d(3)	Pub ord	C	False representation to	
25				obtain personal infor-	
26				mation -- third or sub-	
27				sequent offense	15
28	324.80172	Person	G	Negligent crippling or	
29				homicide by vessel	2
30	324.80173	Person	G	Felonious operation of a	
31				vessel	2
32	324.80176(4)	Person	C	Operating a vessel under	
33				the influence causing	
34				death	15
35	324.80176(5)	Person	E	Operating a vessel under	
36				the influence causing	
37				serious impairment	5
38	324.80177(1)(c)	Pub saf	E	Operating a vessel under	
39				the influence -- third	
40				or subsequent offense	5

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

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1	324.82127(5)	Person	E	Operating a snowmobile	
2				under the influence	
3				causing serious	
4				impairment	5
5	324.82128(1)(c)	Pub saf	E	Operating a snowmobile	
6				under the influence --	
7				third or subsequent	
8				offense	5
9	324.82160(1)	Pub ord	H	False representation to	
10				obtain personal	
11				information	4
12	324.82160(2)	Pub ord	G	False representation to	
13				obtain personal infor-	
14				mation -- second	
15				offense	7
16	324.82160(3)	Pub ord	C	False representation to	
17				obtain personal infor-	
18				mation -- third or sub-	
19				sequent offense	15
20	328.232	Property	E	Conversion of funeral	
21				contracts	5
22	333.2685	Person	E	Use of a live human	
23				embryo, fetus for non-	
24				therapeutic research	5
25	333.2688	Person	E	Research on dead embryo	
26				or fetus without	
27				mother's consent	5
28	333.2689	Person	E	Abortion to obtain embryo	5
29	333.2690	Person	E	Sale or delivery of fetus	
30				or embryo	5
31	333.2813(3)	Pub trst	F	Unauthorized disclosure	
32				of social security	
33				number -- subsequent	
34				offense	4
35	333.2835(9)	Pub trst	G	Disclosing confidential	
36				information -- abortion	3
37	333.5210	Person	F	AIDS -- sexual penetra-	
38				tion with uninformed	
39				partner	4
40	333.5661	Person	F	Fraud resulting in	
41				patient death	4

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1	333.7341(8)	CS	G	Delivery or manufacture	
2				of imitation controlled	
3				substance	2
4	333.7401(2)(a)(i)	CS	A	Delivery or manufacture	
5				of 650 or more grams of	
6				certain schedule 1 or 2	
7				controlled substances	Life
8	333.7401(2)(a)(ii)	CS	A	Delivery or manufacture	
9				of 225 or more but less	
10				than 650 grams of cer-	
11				tain schedule 1 or 2	
12				controlled substances	30
13	333.7401(2)(a)(iii)	CS	B	Delivery or manufacture	
14				of 50 or more but less	
15				than 225 grams of cer-	
16				tain schedule 1 or 2	
17				controlled substances	20
18	333.7401(2)(a)(iv)	CS	D	Delivery or manufacture	
19				of less than 50 grams	
20				of certain schedule 1	
21				or 2 controlled	
22				substances	20
23	333.7401(2)(b)(i)	CS	B	Delivery or manufacture	
24				of methamphetamine	20
25	333.7401(2)(b)(ii)	CS	E	Delivery or manufacture	
26				of certain schedule 1,	
27				2, or 3 controlled	
28				substances	7
29	333.7401(2)(c)	CS	F	Delivery or manufacture	
30				of schedule 4 con-	
31				trolled substance	4
32	333.7401(2)(d)(i)	CS	C	Delivery or manufacture	
33				of 45 or more kilograms	
34				of marijuana	15
35	333.7401(2)(d)(ii)	CS	D	Delivery or manufacture	
36				of 5 or more but less	
37				than 45 kilograms of	
38				marijuana	7
39	333.7401(2)(d)(iii)	CS	F	Delivery or manufacture	
40				of less than 5 kilo-	
41				grams or 20 plants of	
42				marijuana	4

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1	333.7401(2)(e)	CS	G	Delivery or manufacture	
2				of schedule 5	
3				controlled substance	2
4	333.7401(2)(f)	CS	D	Delivery or manufacture	
5				of an official or coun-	
6				terfeit prescription	
7				form	20
8	333.7401(2)(g)	CS	D	Delivery or manufacture	
9				of prescription or	
10				counterfeit form (other	
11				than official)	7
12	333.7401a	Person	B	Delivering a controlled	
13				substance or GBL with	
14				intent to commit crimi-	
15				nal sexual conduct	20
16	333.7401b(3)(a)	CS	E	Delivery or manufacture	
17				of GBL	7
18	333.7401b(3)(b)	CS	G	Possession of GBL	2
19	333.7401c(2)(a)	CS	D	Operating or maintaining	
20				controlled substance	
21				laboratory	10
22	333.7401c(2)(b)	CS	B	Operating or maintaining	
23				controlled substance	
24				laboratory in presence	
25				of minor	20
26	333.7401c(2)(c)	CS	B	Operating or maintaining	
27				controlled substance	
28				laboratory involving	
29				hazardous waste	20
30	333.7401c(2)(d)	CS	B	Operating or maintaining	
31				controlled substance	
32				laboratory near certain	
33				places	20
34	333.7401c(2)(e)	CS	A	Operating or maintaining	
35				controlled substance	
36				laboratory involving	
37				firearm or other harm-	
38				ful device	25
39	333.7402(2)(a)	CS	D	Delivery or manufacture	
40				of certain imitation	
41				controlled substances	10



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1	333.7402(2)(b)	CS	E	Delivery or manufacture	
2				of schedule 1, 2, or 3	
3				imitation controlled	
4				substance	5
5	333.7402(2)(c)	CS	F	Delivery or manufacture	
6				of imitation schedule 4	
7				controlled substance	4
8	333.7402(2)(d)	CS	G	Delivery or manufacture	
9				of imitation schedule 5	
10				controlled substance	2
11	333.7402(2)(e)	CS	C	Delivery or manufacture	
12				of controlled substance	
13				analogue	15
14	333.7403(2)(a)(i)	CS	A	Possession of 650 or more	
15				grams of certain sched-	
16				ule 1 or 2 controlled	
17				substances by juvenile	Life
18	333.7403(2)(a)(ii)	CS	A	Possession of 225 or more	
19				but less than 650 grams	
20				of certain schedule 1	
21				or 2 controlled	
22				substances	30
23	333.7403(2)(a)(iii)	CS	B	Possession of 50 or more	
24				but less than 225 grams	
25				of certain schedule 1	
26				or 2 controlled	
27				substances	20
28	333.7403(2)(a)(iv)	CS	G	Possession of 25 or more	
29				but less than 50 grams	
30				of certain schedule 1	
31				or 2 controlled	
32				substances	4
33	333.7403(2)(a)(v)	CS	G	Possession of less than	
34				25 grams of certain	
35				schedule 1 or 2 con-	
36				trolled substances	4
37	333.7403(2)(b)(i)	CS	D	Possession of	
38				methamphetamine	10
39	333.7403(2)(b)(ii)	CS	G	Possession of certain	
40				schedule 1, 2, 3, or 4	
41				controlled substances	
42				or controlled	
43				substances analogue	2

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<b>1</b>	333.7403(2)(e)	CS	H	Possession of official	
<b>2</b>				prescription form	1
<b>3</b>	333.7405(a)	CS	G	Controlled substance vio-	
<b>4</b>				lations by licensee	2
<b>5</b>	333.7405(b)	CS	G	Manufacturing or distri-	
<b>6</b>				bution violations by	
<b>7</b>				licensee	2
<b>8</b>	333.7405(c)	CS	G	Refusing lawful	
<b>9</b>				inspection	2
<b>10</b>	333.7405(d)	CS	G	Maintaining drug house	2
<b>11</b>	333.7407(1)(a)	CS	G	Controlled substance vio-	
<b>12</b>				lations by licensee	4
<b>13</b>	333.7407(1)(b)	CS	G	Use of fictitious,	
<b>14</b>				revoked, or suspended	
<b>15</b>				license number	4
<b>16</b>	333.7407(1)(c)	CS	G	Obtaining controlled sub-	
<b>17</b>				stance by fraud	4
<b>18</b>	333.7407(1)(d)	CS	G	False reports under con-	
<b>19</b>				trolled substance	
<b>20</b>				article	4
<b>21</b>	333.7407(1)(e)	CS	G	Possession of counter-	
<b>22</b>				feiting implements	4
<b>23</b>	333.7407(1)(f)	CS	F	Disclosing or obtaining	
<b>24</b>				prescription	
<b>25</b>				information	4
<b>26</b>	333.7407(1)(g)	CS	F	Possession of counterfeit	
<b>27</b>				prescription form	4
<b>28</b>	333.7407(2)	CS	G	Refusing to furnish	
<b>29</b>				records under con-	
<b>30</b>				trolled substance	
<b>31</b>				article	4
<b>32</b>	333.7410a	CS	G	Controlled substance	
<b>33</b>				offense or offense	
<b>34</b>				involving GBL in or	
<b>35</b>				near a park	2
<b>36</b>	333.10204(1)	Pub ord	F	Transferring a human	
<b>37</b>				organ for valuable	
<b>38</b>				consideration	4

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1	333.10204(4)	Pub saf	F	Removal of a human organ	
2				by an unauthorized	
3				individual	4
4	333.10205	Pub saf	F	Removal of a human organ	
5				in an unapproved	
6				facility	4
7	333.13738(2)	Pub saf	F	Waste disposal violations	
8				-- second offense	5
9	333.13738(3)	Pub saf	F	Disposing of waste --	
10				indifference to human	
11				life	2
12		Pub saf	B	Disposing of waste --	
13				extreme indifference to	
14				human life	20
15	333.16170(3)	Pub trst	F	False representation --	
16				health professional	
17				recovery program	4
18	333.16294	Pub saf	F	Health profession --	
19				unauthorized practice	4
20	333.17766a(2)	CS	F	Possession of steroids --	
21				subsequent offense	4
22	333.17766a(3)	CS	E	Delivery or manufacture	
23				of steroids	7
24	333.17766a(4)	CS	G	Delivery of imitation	
25				steroids	7
26	333.17766c(2)	CS	G	Possession of more than	
27				10 grams ephedrine	2
28	333.20142(5)	Pub trst	F	False statement -- appli-	
29				cation licensure health	
30				facility	4
31	333.21792	Pub trst	G	Nursing homes -- referral	
32				fees/bribing officials/	
33				accepting bribes	4
34	338.1053	Pub trst	F	Private security business	
35				and security alarm act	
36				violation	4
37	338.3434a(2)	Pub trst	F	Unauthorized disclosure	
38				of a social security	
39				number -- subsequent	
40				offense	4

S01929'01 a (H-4)

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Sub. SB 411 (H-4) as amended September 26, 2001 12

1 388.936 Pub trst F Knowingly making false  
2 statement -- school  
3 district loans 4

4 388.962 Pub trst F Knowingly making false  
5 statement -- school  
6 district loans 4

7 Enacting section 1. This amendatory act takes effect  
8 [January 1, 2002].

9 Enacting section 2. This amendatory act does not take  
10 effect unless Senate Bill No. 410 of the 91st Legislature is  
11 enacted into law.