

**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 2000 PA 412.

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 owned property -- dam-	
8			ages of \$1,000 or more	180
9				days

SB 411, As Passed Senate, May 10, 2001

Senate Bill No. 411			2		
1 2 3	324.2157(1)(B)(ii)	PROPERTY	G	DAMAGE TO STATE PROPERTY INVOLVING \$100 TO \$500 WITH PRIOR CONVICTION	2
4 5	324.2157(1)(C)	PROPERTY	G	DAMAGE TO STATE PROPERTY INVOLVING \$500 OR MORE	2
6	324.3115(2)	Pub saf	H	Waste discharge violations	2
7 8	324.3115(4)	Pub saf	G	Waste discharge violations -- substantial endangerment	5
9	324.5531(4)	Pub saf	H	Knowingly releasing pollutants	2
10 11 12	324.5531(5)	Pub saf	G	Knowingly releasing pollutants -- causing death or serious bodily injury	6
13 14 15	324.5531(6)	Pub saf	C	Knowingly releasing pollutants -- resulting in death or serious bodily injury	15
16 17 18	324.8905(2)	Pub saf	H	Infectious waste/pathological waste/sharps -- littering violation	2
19 20 21 22	324.8905(3)	Pub saf	G	Infectious waste/pathological waste/sharps -- littering violation -- subsequent offense	5
23 24	324.11151(2)	Pub saf	H	Hazardous waste violations -- 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 statement or entry in a license application	2
34 35 36	324.20139(3)	Pub saf	H	Hazardous waste -- knowingly releases or causes the release	2
37 38 39	324.21324(1)	Pub saf	G	Underground storage tanks -- false or misleading information	5

SB 411, As Passed Senate, May 10, 2001

Senate Bill No. 411 as amended May 10, 2001				3	
1 2 3	324.21548(1)	Pub trst	H	False statement, report, claim, bid, work invoice, or other request for payment	5
4 5	324.30316(3)	Pub saf	H	NREPA violation -- subsequent offense	2
6 7 8	324.31525	Person	G	NREPA -- imminent danger of death or serious injury -- subsequent offense	2
9 10	324.33939(1)	Pub trst	H	NREPA violation for commercial purposes	2
11 12 13 14	324.40118(11)	Pub ord	G	Wildlife conservation -- buying selling protected animals -- subsequent offense	4
15 16	324.51120(2)	Property	H	Removing forest products over \$2,500	3
17	324.51512	Pub saf	D	Willfully setting forest fires	10
18 19 20 21	324.52908(3)	Property	H	Illegally cutting, removing, or transporting tree or other plant involving \$1,000 or more	180
22					days
23 24 25	324.52908(1)(B)(ii)	PROPERTY	G	DAMAGE TO PLANT INVOLVING \$100 TO \$500 WITH PRIOR CONVICTION	2
26 27	324.52908(1)(C)	PROPERTY	G	DAMAGE TO PLANT INVOLVING \$500 OR MORE	2
28	324.61511	Pub trst	G	False affidavit under NREPA	5
29	324.61521(1)	Pub trst	G	Evading rule under NREPA	3
30	324.76107(4) 324.76107(3)	PUB TRST PUB ORD	D D	REMOVING OR MUTILATING HUMAN BODY FROM GREAT LAKES BOTTOMLAND	10
31 32 33 34 35 36	324.76107(4)(B)(ii)	Pub trst PROPERTY	G G	Recovering abandoned property in Great Lakes HAVING VALUE OF \$100 TO \$500 WITH PRIOR CONVICTION without permit	2
37 38 39 40	324.76107(4)(C)	PROPERTY	G	RECOVERING ABANDONED PROPERTY IN GREAT LAKES HAVING VALUE OF \$500 OR MORE WITHOUT PERMIT	2

SB 411, As Passed Senate, May 10, 2001

Senate Bill No. 411			4		
1 2	324.80130d(1)	Pub ord	H	False representation to obtain personal information	4
3 4 5	324.80130d(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
6 7 8	324.80130d(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
9 10	324.80172	Person	G	Negligent crippling or homicide by vessel	2
11 12	324.80173	Person	G	Felonious operation of a vessel	2
13 14	324.80176(4)	Person	C	Operating a vessel under the influence causing death	15
15 16 17	324.80176(5)	Person	E	Operating a vessel under the influence causing long-term incapacitating injury	5
18 19 20	324.80177(1)(c)	Pub saf	E	Operating a vessel under the influence -- third or subsequent offense	5
21 22	324.80319a(1)	Pub ord	H	False representation to obtain personal information	4
23 24 25	324.80319a(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
26 27 28	324.80319a(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
29 30	324.81120(1)	Pub ord	H	False representation to obtain personal information	4
31 32 33	324.81120(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
34 35 36	324.81120(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
37 38 39	324.81134(6)	Pub saf	E	Operating an ORV under the influence -- third or subsequent offense	4

SB 411, As Passed Senate, May 10, 2001

Senate Bill No. 411		5			
1	324.81134(7)	Person	C	Operating an ORV under the influence causing death	15
2					
3	324.81134(8)	Person	E	Operating an ORV under the influence causing serious impairment	5
4					
5					
6	324.82126c(1)	Person	G	Operating a snowmobile carelessly or negligently causing death or serious impairment	2
7					
8					
9					
10	324.82126c(2)	Person	G	Operating a snowmobile without regard to safety causing serious impairment	2
11					
12					
13	324.82127(4)	Person	C	Operating a snowmobile under the influence causing death	15
14					
15	324.82127(5)	Person	E	Operating a snowmobile under the influence causing long-term incapacitating injury	5
16					
17					
18					
19	324.82128(1)(c)	Pub saf	E	Operating a snowmobile under the influence -- third or subsequent offense	5
20					
21					
22	324.82160(1)	Pub ord	H	False representation to obtain personal information	4
23					
24	324.82160(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
25					
26					
27	324.82160(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
28					
29					
30	328.232	Property	E	Conversion of funeral contracts	5
31					
32	333.2685	Person	E	Use of a live human embryo, fetus for nontherapeutic research	5
33					
34					
35	333.2688	Person	E	Research on dead embryo or fetus without mother's consent	5
36					
37					
38	333.2689	Person	E	Abortion to obtain embryo	5
39	333.2690	Person	E	Sale or delivery of fetus or embryo	5
40					

SB 411, As Passed Senate, May 10, 2001

Senate Bill No. 411		6			
1	333.2813(3)	Pub trst	F	Unauthorized disclosure of	
2				social security number --	
3				subsequent offense	4
4	333.2835(9)	Pub trst	G	Disclosing confidential infor-	
5				mation -- abortion	3
6	333.5210	Person	F	AIDS -- sexual penetration	
7				with uninformed partner	4
8	333.5661	Person	F	Fraud resulting in patient	
9				death	4
10	333.7341(8)	CS	G	Delivery or manufacture of	
11				imitation controlled	
12				substance	2
13	333.7401(2)(a)(i)	CS	A	Delivery or manufacture of 650	
14				or more grams of certain	
15				schedule 1 or 2 controlled	
16				substances	Life
17	333.7401(2)(a)(ii)	CS	A	Delivery or manufacture of 225	
18				or more but less than 650	
19				grams of certain schedule 1	
20				or 2 controlled substances	30
21	333.7401(2)(a)(iii)	CS	B	Delivery or manufacture of 50	
22				or more but less than 225	
23				grams of certain schedule 1	
24				or 2 controlled substances	20
25	333.7401(2)(a)(iv)	CS	D	Delivery or manufacture of	
26				less than 50 grams of cer-	
27				tain schedule 1 or 2 con-	
28				trolled substances	20
29	333.7401(2)(b)(i)	CS	B	Delivery or manufacture of	
30				methamphetamine	20
31	333.7401(2)(b)(ii)	CS	E	Delivery or manufacture of	
32				certain schedule 1, 2, or 3	
33				controlled substances	7
34	333.7401(2)(c)	CS	F	Delivery or manufacture of	
35				schedule 4 controlled	
36				substance	4
37	333.7401(2)(d)(i)	CS	C	Delivery or manufacture of 45	
38				or more kilograms of	
39				marijuana	15

SB 411, As Passed Senate, May 10, 2001

Senate Bill No. 411		7			
1	333.7401(2)(d)(ii)	CS	D	Delivery or manufacture of 5	
2				or more but less than 45	
3				kilograms of marijuana	7
4	333.7401(2)(d)(iii)	CS	F	Delivery or manufacture of	
5				less than 5 kilograms or 20	
6				plants of marijuana	4
7	333.7401(2)(e)	CS	G	Delivery or manufacture of	
8				schedule 5 controlled	
9				substance	2
10	333.7401(2)(f)	CS	D	Delivery or manufacture of an	
11				official or counterfeit pre-	
12				scription form	20
13	333.7401(2)(g)	CS	D	Delivery or manufacture of	
14				prescription or counterfeit	
15				form (other than official)	7
16	333.7401a	Person	B	Delivering a controlled sub-	
17				stance or GBL with intent to	
18				commit criminal sexual	
19				conduct	20
20	333.7401b(3)(a)	CS	E	Delivery or manufacture of GBL	7
21	333.7401b(3)(b)	CS	G	Possession of GBL	2
22	333.7401c(2)(a)	CS	D	Operating or maintaining con-	
23				trolled substance laboratory	10
24	333.7401c(2)(b)	CS	B	Operating or maintaining con-	
25				trolled substance laboratory	
26				in presence of minor	20
27	333.7401c(2)(c)	CS	B	Operating or maintaining con-	
28				trolled substance laboratory	
29				involving hazardous waste	20
30	333.7401c(2)(d)	CS	B	Operating or maintaining con-	
31				trolled substance laboratory	
32				near certain places	20
33	333.7401c(2)(e)	CS	A	Operating or maintaining con-	
34				trolled substance laboratory	
35				involving firearm or other	
36				harmful device	25
37	333.7402(2)(a)	CS	D	Delivery or manufacture of	
38				certain imitation controlled	
39				substances	10

SB 411, As Passed Senate, May 10, 2001

Senate Bill No. 411		8			
1 2 3 4	333.7402(2)(b)	CS	E	Delivery or manufacture of schedule 1, 2, or 3 imitation controlled substance	5
5 6 7	333.7402(2)(c)	CS	F	Delivery or manufacture of imitation schedule 4 controlled substance	4
8 9 10	333.7402(2)(d)	CS	G	Delivery or manufacture of imitation schedule 5 controlled substance	2
11 12 13	333.7402(2)(e)	CS	C	Delivery or manufacture of controlled substance analogue	15
14 15 16 17	333.7403(2)(a)(i)	CS	A	Possession of 650 or more grams of certain schedule 1 or 2 controlled substances by juvenile	Life
18 19 20 21	333.7403(2)(a)(ii)	CS	A	Possession of 225 or more but less than 650 grams of certain schedule 1 or 2 controlled substances	30
22 23 24 25	333.7403(2)(a)(iii)	CS	B	Possession of 50 or more but less than 225 grams of certain schedule 1 or 2 controlled substances	20
26 27 28 29	333.7403(2)(a)(iv)	CS	G	Possession of 25 or more but less than 50 grams of certain schedule 1 or 2 controlled substances	4
30 31 32	333.7403(2)(a)(v)	CS	G	Possession of less than 25 grams of certain schedule 1 or 2 controlled substances	4
33	333.7403(2)(b)(i)	CS	D	Possession of methamphetamine	10
34 35 36 37	333.7403(2)(b)(ii)	CS	G	Possession of certain schedule 1, 2, 3, or 4 controlled substances or controlled substances analogue	2
38 39	333.7403(2)(e)	CS	H	Possession of official prescription form	1
40 41	333.7405(a)	CS	G	Controlled substance violations by licensee	2

SB 411, As Passed Senate, May 10, 2001

Senate Bill No. 411			9		
1	333.7405(b)	CS	G	Manufacturing or distribution violations by licensee	2
2					
3	333.7405(c)	CS	G	Refusing lawful inspection	2
4	333.7405(d)	CS	G	Maintaining drug house	2
5	333.7407(1)(a)	CS	G	Controlled substance violations by licensee	4
6					
7	333.7407(1)(b)	CS	G	Use of fictitious, revoked, or suspended license number	4
8					
9	333.7407(1)(c)	CS	G	Obtaining controlled substance by fraud	4
10					
11	333.7407(1)(d)	CS	G	False reports under controlled substance article	4
12					
13	333.7407(1)(e)	CS	G	Possession of counterfeiting implements	4
14					
15	333.7407(1)(f)	CS	F	Disclosing or obtaining prescription information	4
16					
17	333.7407(1)(g)	CS	F	Possession of counterfeit prescription form	4
18					
19	333.7407(2)	CS	G	Refusing to furnish records under controlled substance article	4
20					
21					
22	333.7410a	CS	G	Controlled substance offense or offense involving GBL in or near a park	2
23					
24					
25	333.10204(1)	Pub ord	F	Transferring a human organ for valuable consideration	4
26					
27	333.10204(4)	Pub saf	F	Removal of a human organ by an unauthorized individual	4
28					
29	333.10205	Pub saf	F	Removal of a human organ in an unapproved facility	4
30					
31	333.13738(2)	Pub saf	F	Waste disposal violations -- second offense	5
32					
33	333.13738(3)	Pub saf	F	Disposing of waste -- indifference to human life	2
34					
35		Pub saf	B	Disposing of waste -- extreme indifference to human life	20
36					

SB 411, As Passed Senate, May 10, 2001

Senate Bill No. 411		10			
1	333.16170(3)	Pub trst	F	False representation -- health	
2				professional recovery	
3				program	4
4	333.16294	Pub saf	F	Health profession -- unautho-	
5				rized practice	4
6	333.17766a(2)	CS	F	Possession of steroids -- sub-	
7				sequent offense	4
8	333.17766a(3)	CS	E	Delivery or manufacture of	
9				steroids	7
10	333.17766a(4)	CS	G	Delivery of imitation steroids	7
11	333.17766c(2)	CS	G	Possession of more than 10	
12				grams ephedrine	2
13	333.20142(5)	Pub trst	F	False statement -- application	
14				licensure health facility	4
15	333.21792	Pub trst	G	Nursing homes -- referral	
16				fees/bribing officials/	
17				accepting bribes	4
18	338.1053	Pub trst	F	Private security business and	
19				security alarm act violation	4
20	338.3434a(2)	Pub trst	F	Unauthorized disclosure of a	
21				social security number --	
22				subsequent offense	4
23	388.936	Pub trst	F	Knowingly making false state-	
24				ment -- school district	
25				loans	4
26	388.962	Pub trst	F	Knowingly making false state-	
27				ment -- school district	
28				loans	4
29	Enacting section 1. This amendatory act takes effect				
30	September 1, 2001.				
31	Enacting section 2. This amendatory act does not take				
32	effect unless Senate Bill No. 410 of the 91st Legislature is				
33	enacted into law.				