

SUBSTITUTE FOR
SENATE BILL NO. 675

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending sections 12 and 17 of chapter XVII (MCL 777.12 and
777.17), section 12 as amended by 2001 PA 104 and section 17 as
amended by 2000 PA 300.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XVII

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

4	M.C.L.	Category	Class	Description	Stat	Max
5	205.27(1)(a)	Pub	trst	G	Failure to file or false	
6					tax return or payment	5
7	205.27(1)(b)	Pub	trst	G	Aiding and abetting tax	
8					evasion or filing false	
9					returns	5
10	205.27(1)(c)	Pub	trst	G	Making/permitting false	
11					tax returns or payments	5

SB 675, As Passed Senate, October 11, 2001

Senate Bill No. 675

2

1	205.27(3)	Pub trst	G	False tax returns/perjury	15
2	205.28(1)(e)	Pub trst	G	State employee compromising taxes	5
3					
4	205.28(1)(f)	Pub trst	G	Unauthorized disclosure of tax information	5
5					
6	205.428(2)	Pub trst	G	Tobacco products tax act violations	5
7					
8	205.428(3)	Pub trst	G	Illegal sale of cigarettes or other tobacco products with wholesale price of \$250.00 or more	5
9					
10					
11					
12					
13	205.428(6)	Pub trst	F	Illegal tobacco stamp or tobacco stamp device	10
14					
15	205.428(7)	Pub trst	G	Illegal vending machine license, disk, or marker	5
16					
17					
18	207.118a	Pub ord	G	Gasoline tax -- embezzlement over \$100	10
19					
20	207.119	Pub trst	G	Gasoline or motor fuel tax violation	4
21					
22	207.127c	Pub ord	G	Diesel fuel tax -- embezzlement over \$100	10
23					
24	207.754(3)	Pub trst	G	State treasurer -- municipality tax -- divulging confidential information	5
25					
26					
27					
28	252.311	Property	H	Destroying a tree or shrub to make a sign more visible	2
29					
30					
31	257.233a(7)	Pub ord	G	Odometer tampering	5
32	257.254	Property	E	Possessing stolen vehicle title	10
33					
34	257.257(1)	Property	G	Altering or forging vehicle documents -- first offense	5
35					
36					
37	257.257(2)	Property	G	Altering or forging vehicle documents -- second offense	7
38					
39					

SB 675, As Passed Senate, October 11, 2001

Senate Bill No. 675

3

1	257.257(3)	Property	E	Altering or forging	
2				vehicle documents --	
3				third or subsequent	
4				offense	15
5	257.309(6)	Pub ord	F	Corrupting an examining	
6				officer	5
7	257.309(7)	Pub ord	F	Deviating from road test	
8				criteria	5
9	257.309(8)	Pub ord	F	Forging, counterfeiting,	
10				or altering road test	
11				certification	5
12	257.312b(6)	Pub ord	F	Corrupting a person or	
13				agency conducting a	
14				motorcycle driving test	5
15	257.312b(7)	Pub ord	F	Deviating from motorcycle	
16				road test criteria	5
17	257.312b(8)	Pub ord	F	Forging, counterfeiting,	
18				or altering motorcycle	
19				road test certification	5
20	257.329(1)	Property	G	Possession/sale of stolen	
21				or counterfeit insur-	
22				ance certificates	5
23	257.329(2)	Property	E	Possession/sale of stolen	
24				or counterfeit insur-	
25				ance certificates --	
26				second offense	7
27	257.329(3)	Property	E	Possession/sale of stolen	
28				or counterfeit insur-	
29				ance certificates --	
30				third or subsequent	
31				offense	15
32	257.601b(3)	Person	C	Moving violation causing	
33				death to construction	
34				worker	15
35	257.601c(2)	Person	C	Moving violation causing	
36				death to operator of	
37				implement of husbandry	15
38	257.602a(2)	Pub saf	G	Fleeing and eluding --	
39				fourth degree	2
40	257.602a(3)	Pub saf	E	Fleeing and eluding --	
41				third degree	5

SB 675, As Passed Senate, October 11, 2001

Senate Bill No. 675

4

1 2	257.602a(4)	Person	D	Fleeing and eluding -- second degree	10
3 4	257.602a(5)	Person	C	Fleeing and eluding -- first degree	15
5 6 7	257.617	Person	E	Failure to stop at scene of a serious personal injury accident	5
8 9 10	257.625(4)(a)	Person	C	Operating a vehicle under the influence or while impaired causing death	15
11 12 13 14	257.625(4)(b)	Person	B	Operating a vehicle under the influence or while impaired causing death to certain persons	20
15 16 17 18	257.625(5)	Person	E	Operating a vehicle under the influence or while impaired causing seri- ous impairment	5
19 20 21 22 23	257.625(7)(a)(ii)	Person	E	Operating a vehicle under the influence or while impaired with a minor in the vehicle -- sub- sequent offense	5
24 25 26	257.625(8)(c)	Pub saf	E	Operating a vehicle under the influence -- third or subsequent offense	5
27 28 29 30	257.625(9)(b)	Person	E	Allowing a vehicle to be operated while under the influence or impaired causing death	5
31 32 33 34 35	257.625(9)(c)	Person	G	Allowing a vehicle to be operated while under the influence or impaired causing seri- ous impairment	2
36 37	257.625(10)(c)	Pub saf	E	Impaired driving -- third or subsequent offense	5
38 39 40 41	257.625k(7)	Pub saf	D	Knowingly providing false information concerning an ignition interlock device	10

SB 675, As Passed Senate, October 11, 2001

Senate Bill No. 675

5

1 2 3	257.625k(9)	Pub saf	D	Failure to report illegal ignition interlock device	10
4 5 6	257.625m(5)	Pub saf	E	Commercial drunk driving -- third or subsequent offense	5
7	257.626C	PERSON	G	FELONIOUS DRIVING	2
8 9 10 11	257.653a(3)	Person	G	Failure to use due care and caution causing injury to emergency personnel	2
12 13 14 15	257.653a(4)	Person	C	Failure to use due care and caution causing death to emergency personnel	15
16 17	257.744a	Pub saf	D	False statement in citation -- perjury	15
18 19	257.902	Pub saf	E	Motor vehicle code violations	5
20 21 22	257.903(1)	Property	E	Motor vehicle code -- false certification -- first offense	5
23 24 25	257.903(2)	Property	E	Motor vehicle code -- false certification -- second offense	7
26 27 28 29	257.903(3)	Property	D	Motor vehicle code -- false certification -- third or subsequent offense	15
30 31 32	257.904(4)	Person	C	Operating a vehicle without a license causing death	15
33 34 35	257.904(5)	Person	E	Operating a vehicle without a license causing serious impairment	5
36 37 38 39	257.904(7)	Person	G	Allowing a vehicle to be operated without a license causing serious impairment	2

SB 675, As Passed Senate, October 11, 2001

Senate Bill No. 675

6

1 2 3		Person	E	Allowing a vehicle to be operated without a license causing death	5
4 5 6	257.1353(2)	Pub trst	H	Motor vehicle -- fail to record material matter -- subsequent offense	2
7 8 9	257.1354(2)	Pub trst	H	Motor vehicle -- general violations -- subsequent offense	2
10 11 12 13	257.1355	Pub trst	H	Motor vehicle -- fail to record transaction/falsify records	2
14 15	259.183	Property	E	Aircraft -- unlawful taking or tampering	5
16 17 18 19	259.185(4)	Person	C	Operating or serving as crew of aircraft while under the influence causing death	15
20 21 22 23 24	259.185(5)	Person	E	Operating or serving as crew of aircraft while under the influence causing serious impairment	5
25 26 27 28 29	259.185(8)	Pub saf	E	Operating or serving as crew of aircraft while under the influence -- third or subsequent offense	5
30 31	285.82	Pub trst	H	Grain dealers act violations	5
32 33	285.279	Pub trst	E	Falsely obtaining money -- agricultural land	10
34 35	286.455(2)	Pub saf	G	Agriculture -- hazardous substance	5
36 37	286.929(4)	Pub trst	G	Organic products act violations	4
38 39	287.323(1)	Person	C	Dangerous animal causing death	15
40 41	287.323(2)	Person	G	Dangerous animal causing serious injury	4

SB 675, As Passed Senate, October 11, 2001

Senate Bill No. 675

7

1	287.679	Pub ord	H	Dead animals -- third or	
2				subsequent violation	1
3	287.744(1)	Pub ord	G	Animal industry act	
4				violations	5
5	287.855	Pub saf	G	Agriculture -- contami-	
6				nating livestock/false	
7				statement/violation of	
8				quarantine	5
9	287.967(5)	Pub ord	G	Cervidae producer	
10				violations	4
11	288.223	Pub saf	G	Sale or labeling of oleo-	
12				margarine violations	3
13	288.257	Pub saf	G	Margarine violations	3
14	288.284	Pub trst	H	Selling falsely branded	
15				cheese	2
16	289.5107(2)	Pub saf	F	Adulterated, misbranded,	
17				or falsely identified	
18				food	4
19	290.629(1)	Person	G	Weights and measures --	
20				assaults enforcement	
21				officer	2
22	290.631(3)	Pub trst	G	Weights and measures	5
23	290.650	Person	G	Motor fuels --	
24				assaulting/obstructing	
25				director or authorized	
26				representative	2
27	290.650b(3)	Pub trst	H	Motor fuels violations	2
28	Sec. 17. (1) This chapter applies to the following felonies				
29	enumerated in chapters 751 to 830 of the Michigan Compiled Laws:				
30	M.C.L.	Category	Class	Description	Stat Max
31	752.191	Pub saf	G	Felonious driving	2
32	752.273(2)(c)				
33	752.272A(2)(C)	Pub saf	F	Sale or distribution of	
34				nitrous oxide device --	
35				2 or more prior	
36				convictions	4

SB 675, As Passed Senate, October 11, 2001

Senate Bill No. 675

8

1 2	752.365(3)	Pub ord	G	Obscenity -- subsequent offense	2
3	752.541	Pub saf	D	Riot	10
4	752.542	Pub saf	D	Incitement to riot	10
5 6	752.542a	Pub saf	D	Riot in state correctional facilities	10
7	752.543	Pub saf	G	Unlawful assembly	5
8 9 10	752.797(1)(c)	Property	E	Computer fraud -- 2 prior convictions or value of \$1,000 to \$20,000	5
11 12 13 14	752.797(1)(d)	Property	D	Computer fraud -- 3 or more prior convictions or value of \$20,000 or more	10
15 16 17	752.797(2)(a)	Property	E	Unlawfully accessing computer, computer system, or computer program	5
18 19 20 21	752.797(2)(b)	Property	D	Unlawfully accessing computer, computer system, or computer program, with prior conviction	10
22 23 24 25 26 27	752.797(3)(b)	Variable	G	Using computer to commit crime punishable by a maximum term of imprisonment of more than 1 year but less than 2 years	2
28 29 30 31 32 33	752.797(3)(c)	Variable	F	Using computer to commit crime punishable by a maximum term of imprisonment of at least 2 years but less than 4 years	4
34 35 36 37 38 39	752.797(3)(d)	Variable	D	Using computer to commit crime punishable by a maximum term of imprisonment of at least 4 years but less than 10 years	7
40 41 42	752.797(3)(e)	Variable	D	Using computer to commit crime punishable by a maximum term of	

SB 675, As Passed Senate, October 11, 2001

Senate Bill No. 675

9

1				imprisonment of at	
2				least 10 years but less	
3				than 20 years	10
4	752.797(3)(f)	Variable	B	Using computer to commit	
5				crime punishable by a	
6				maximum term of impris-	
7				onment of at least	
8				20 years or for life	20
9	752.802	Property	H	Vending machines --	
10				manufacture/sale of	
11				slugs	5
12	752.811	Property	H	Breaking and entering a	
13				coin operated device	3
14	752.861	Person	G	Careless discharge of	
15				firearm causing injury	
16				or death	2
17	752.881	Person	G	Reckless use of bow and	
18				arrow resulting in	
19				injury or death	2
20	752.1003	Property	F	Health care fraud --	
21				false claim/state,	
22				unnecessary, conceal	
23				information	4
24	752.1004	Property	F	Health care fraud --	
25				kickbacks/referral fees	4
26	752.1005	Property	H	Health care fraud --	
27				conspiracy	10
28	752.1006	Property	D	Health care fraud -- sub-	
29				sequent offense	20
30	752.1054(2)	Property	G	Copying audio/video	
31				recordings for gain	5
32	764.1e	Pub trst	C	Peace officer -- false	
33				statement in a	
34				complaint	15
35	767.4a	Pub trst	F	Disclosing or possessing	
36				grand jury information	4
37	767A.9(a)				
38	767A.9(1)(A)	Pub trst	C	Perjury committed in	
39				prosecutor's	
40				investigative hearing	
41				-- noncapital crime	15

SB 675, As Passed Senate, October 11, 2001

Senate Bill No. 675

10

1	767a.9(b)					
2	767A.9(1)(B)	Pub	trst	B	Perjury committed in	
3					prosecutor's investiga-	
4					tive hearing -- capital	
5					crime	Life
6	800.281(1)	Pub	saf	H	Furnishing prisoner with	
7					contraband	5
8	800.281(2)	Pub	saf	H	Furnishing prisoner with	
9					contraband outside	5
10	800.281(3)	Pub	saf	H	Bringing contraband into	
11					prisons	5
12	800.281(4)	Pub	saf	E	Prisoner possessing	
13					contraband	5
14	800.283(1)	Pub	saf	E	Furnishing weapon to	
15					prisoner in prison	5
16	800.283(2)	Pub	saf	E	Prisons -- knowledge of a	
17					weapon in a correc-	
18					tional facility	5
19	800.283(3)	Pub	saf	E	Bringing weapon into	
20					prison	5
21	800.283(4)	Pub	saf	E	Prisoner possessing	
22					weapon	5
23	801.262(1)(a)	Pub	saf	E	Bringing weapon into jail	5
24	801.262(1)(b)	Pub	saf	E	Furnishing weapon to	
25					prisoner in jail	5
26	801.262(2)	Pub	saf	E	Prisoner in jail possess-	
27					ing weapon	5
28	801.263(1)	Pub	saf	H	Furnishing contraband to	
29					prisoner in jail	5
30	801.263(2)	Pub	saf	H	Prisoner in jail possess-	
31					ing contraband	5
32	(2) For a violation of section 797(3) of 1979 PA 53,					
33	MCL 752.797, determine the offense category, offense variable					
34	level, and prior record variable level based on the underlying					
35	offense.					

SB 675, As Passed Senate, October 11, 2001

Senate Bill No. 675 as amended October 10, 2001 11

1 Enacting section 1. This amendatory act takes effect
2 February 1, 2002.

3 Enacting section 2. This amendatory act does not take
4 effect unless House Bill No. 4813 of the 91st Legislature is
5 enacted into law.