

HOUSE BILL No. 4770

May 15, 2001, Introduced by Reps. Bernero, DeWeese, Mans, Rich Brown, Bob Brown, O'Neil, Anderson, Pappageorge, Waters, George, Richardville, Howell and Pestka and referred to the Committee on Criminal Justice.

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	days
9	324.3115(2)	Pub saf	H	Waste discharge violations		2

1 2	324.3115(4)	Pub saf	G	Waste discharge violations -- substantial endangerment	5
3	324.5531(4)	Pub saf	H	Knowingly releasing pollutants	2
4 5 6	324.5531(5)	Pub saf	G	Knowingly releasing pollutants -- causing death or serious bodily injury	6
7 8 9	324.5531(6)	Pub saf	C	Knowingly releasing pollutants -- resulting in death or serious bodily injury	15
10 11 12	324.8905(2)	Pub saf	H	Infectious waste/pathological waste/sharps -- littering violation	2
13 14 15 16	324.8905(3)	Pub saf	G	Infectious waste/pathological waste/sharps -- littering violation -- subsequent offense	5
17 18	324.11151(2)	Pub saf	H	Hazardous waste violations -- subsequent offense	2
19 20 21	324.11151(3)	Pub saf	H	Hazardous waste violation -- with disregard for human life	2
22 23 24	324.11151(3)	Pub saf	G	Hazardous waste violation -- with extreme indifference for human life	5
25 26 27	324.12116(2)	Pub saf	H	Waste -- false statement or entry in a license application	2
28 29 30	324.20139(3)	Pub saf	H	Hazardous waste -- knowingly releases or causes the release	2
31 32 33	324.21324(1)	Pub saf	G	Underground storage tanks -- false or misleading information	5
34 35 36	324.21548(1)	Pub trst	H	False statement, report, claim, bid, work invoice, or other request for payment	5
37 38	324.30316(3)	Pub saf	H	NREPA violation -- subsequent offense	2

1	324.31525	Person	G	NREPA -- imminent danger of death or serious injury -- subsequent offense	2
2					
3					
4	324.33939(1)	Pub trst	H	NREPA violation for commercial purposes	2
5					
6	324.40118(11)	Pub ord	G	Wildlife conservation -- buying selling protected animals -- subsequent offense	4
7					
8					
9					
10	324.51120(2)	Property	H	Removing forest products over \$2,500	3
11					
12	324.51512	Pub saf	D	Willfully setting forest fires	10
13	324.52908(3)	Property	H	Illegally cutting, removing, or transporting tree or other plant involving \$1,000 or more	180 days
14					
15					
16					
17	324.61511	Pub trst	G	False affidavit under NREPA	5
18	324.61521(1)	Pub trst	G	Evading rule under NREPA	3
19	324.76107(4)	Pub trst	G	Recovering abandoned property in Great Lakes without permit	2
20					
21					
22	324.80130d(1)	Pub ord	H	False representation to obtain personal information	4
23					
24	324.80130d(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
25					
26					
27	324.80130d(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
28					
29					
30	324.80172	Person	G	Negligent crippling or homicide by vessel	2
31					
32	324.80173	Person	G	Felonious operation of a vessel	2
33					
34	324.80176(4)	Person	C	Operating a vessel under the influence causing death	15
35					
36	324.80176(5)	Person	E	Operating a vessel under the influence causing long-term incapacitating injury	5
37					
38					

1 2 3	324.80177(1)(c)	Pub saf	E	Operating a vessel under the influence -- third or subsequent offense	5
4 5	324.80319a(1)	Pub ord	H	False representation to obtain personal information	4
6 7 8	324.80319a(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
9 10 11	324.80319a(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
12 13	324.81120(1)	Pub ord	H	False representation to obtain personal information	4
14 15 16	324.81120(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
17 18 19	324.81120(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
20 21 22	324.81134(6)	Pub saf	E	Operating an ORV under the influence -- third or subsequent offense	4
23 24	324.81134(7)	Person	C	Operating an ORV under the influence causing death	15
25 26 27	324.81134(8)	Person	E	Operating an ORV under the influence causing serious impairment	5
28 29 30 31	324.82126c(1)	Person	G	Operating a snowmobile carelessly or negligently causing death or serious impairment	2
32 33 34	324.82126c(2)	Person	G	Operating a snowmobile without regard to safety causing serious impairment	2
35 36	324.82127(4)	Person	C	Operating a snowmobile under the influence causing death	15
37 38 39 40	324.82127(5)	Person	E	Operating a snowmobile under the influence causing long-term incapacitating injury	5

1 2 3	324.82128(1)(c)	Pub saf	E	Operating a snowmobile under the influence -- third or subsequent offense	5
4 5	324.82160(1)	Pub ord	H	False representation to obtain personal information	4
6 7 8	324.82160(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
9 10 11	324.82160(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
12 13	328.232	Property	E	Conversion of funeral contracts	5
14 15 16	333.2685	Person	E	Use of a live human embryo, fetus for nontherapeutic research	5
17 18 19	333.2688	Person	E	Research on dead embryo or fetus without mother's consent	5
20	333.2689	Person	E	Abortion to obtain embryo	5
21 22	333.2690	Person	E	Sale or delivery of fetus or embryo	5
23 24 25	333.2813(3)	Pub trst	F	Unauthorized disclosure of social security number -- subsequent offense	4
26 27	333.2835(9)	Pub trst	G	Disclosing confidential information -- abortion	3
28 29	333.5210	Person	F	AIDS -- sexual penetration with uninformed partner	4
30 31	333.5661	Person	F	Fraud resulting in patient death	4
32 33 34	333.7341(8)	CS	G	Delivery or manufacture of imitation controlled substance	2
35 36 37 38	333.7401(2)(a)(i)	CS	A	Delivery or manufacture of 650 or more grams of certain schedule 1 or 2 controlled substances	Life

1	333.7401(2)(a)(ii)	CS	A	Delivery or manufacture of 225 or more but less than 650 grams of certain schedule 1 or 2 controlled substances	30
2					
3					
4					
5	333.7401(2)(a)(iii)	CS	B	Delivery or manufacture of 50 or more but less than 225 grams of certain schedule 1 or 2 controlled substances	20
6					
7					
8					
9	333.7401(2)(a)(iv)	CS	D	Delivery or manufacture of less than 50 grams of certain schedule 1 or 2 controlled substances	20
10					
11					
12					
13	333.7401(2)(b)(i)	CS	B	Delivery or manufacture of methamphetamine	20
14					
15	333.7401(2)(b)(ii)	CS	E	Delivery or manufacture of certain schedule 1, 2, or 3 controlled substances	7
16					
17					
18	333.7401(2)(c)	CS	F	Delivery or manufacture of schedule 4 controlled substance	4
19					
20					
21	333.7401(2)(d)(i)	CS	C	Delivery or manufacture of 45 or more kilograms of marijuana	15
22					
23					
24	333.7401(2)(d)(ii)	CS	D	Delivery or manufacture of 5 or more but less than 45 kilograms of marijuana	7
25					
26					
27	333.7401(2)(d)(iii)	CS	F	Delivery or manufacture of less than 5 kilograms or 20 plants of marijuana	4
28					
29					
30	333.7401(2)(e)	CS	G	Delivery or manufacture of schedule 5 controlled substance	2
31					
32					
33	333.7401(2)(f)	CS	D	Delivery or manufacture of an official or counterfeit prescription form	20
34					
35					
36	333.7401(2)(g)	CS	D	Delivery or manufacture of prescription or counterfeit form (other than official)	7
37					
38					
39	333.7401a	Person	B	Delivering a controlled substance or GBL with intent to commit criminal sexual conduct	20
40					
41					
42					

1	333.7401b(3)(a)	CS	E	Delivery or manufacture of GBL	7
2	333.7401b(3)(b)	CS	G	Possession of GBL	2
3 4	333.7401c(2)(a)	CS	D	Operating or maintaining controlled substance laboratory	10
5 6 7	333.7401c(2)(b)	CS	B	Operating or maintaining controlled substance laboratory in presence of minor	20
8 9 10	333.7401c(2)(c)	CS	B	Operating or maintaining controlled substance laboratory involving hazardous waste	20
11 12 13	333.7401c(2)(d)	CS	B	Operating or maintaining controlled substance laboratory near certain places	20
14 15 16 17	333.7401c(2)(e)	CS	A	Operating or maintaining controlled substance laboratory involving firearm or other harmful device	25
18 19 20	333.7402(2)(a)	CS	D	Delivery or manufacture of certain imitation controlled substances	10
21 22 23	333.7402(2)(b)	CS	E	Delivery or manufacture of schedule 1, 2, or 3 imitation controlled substance	5
24 25 26	333.7402(2)(c)	CS	F	Delivery or manufacture of imitation schedule 4 controlled substance	4
27 28 29	333.7402(2)(d)	CS	G	Delivery or manufacture of imitation schedule 5 controlled substance	2
30 31 32	333.7402(2)(e)	CS	C	Delivery or manufacture of controlled substance analogue	15
33 34 35 36	333.7403(2)(a)(i)	CS	A	Possession of 650 or more grams of certain schedule 1 or 2 controlled substances by juvenile	Life
37 38 39 40	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

1	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
2					
3					
4					
5	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
6					
7					
8					
9	333.7403(2)(a)(v)	CS	G	Possession of less than 25 grams of certain schedule 1 or 2 controlled substances	4
10					
11					
12	333.7403(2)(b)(i)	CS	D	Possession of methamphetamine	10
13	333.7403(2)(b)(ii)	CS	G	Possession of certain schedule 1, 2, 3, or 4 controlled substances or controlled substances analogue	2
14					
15					
16					
17	333.7403(2)(e)	CS	H	Possession of official prescription form	1
18					
19	333.7405(a)	CS	G	Controlled substance violations by licensee	2
20					
21	333.7405(b)	CS	G	Manufacturing or distribution violations by licensee	2
22					
23	333.7405(c)	CS	G	Refusing lawful inspection	2
24	333.7405(d)	CS	G	Maintaining drug house	2
25	333.7407(1)(a)	CS	G	Controlled substance violations by licensee	4
26					
27	333.7407(1)(b)	CS	G	Use of fictitious, revoked, or suspended license number	4
28					
29	333.7407(1)(c)	CS	G	Obtaining controlled substance by fraud	4
30					
31	333.7407(1)(d)	CS	G	False reports under controlled substance article	4
32					
33	333.7407(1)(e)	CS	G	Possession of counterfeiting implements	4
34					
35	333.7407(1)(f)	CS	F	Disclosing or obtaining prescription information	4
36					
37	333.7407(1)(g)	CS	F	Possession of counterfeit prescription form	4
38					

1 2 3	333.7407(2)	CS	G	Refusing to furnish records under controlled substance article	4
4 5 6	333.7410a	CS	G	Controlled substance offense or offense involving GBL in or near a park	2
7 8	333.10204(1)	Pub ord	F	Transferring a human organ for valuable consideration	4
9 10	333.10204(4)	Pub saf	F	Removal of a human organ by an unauthorized individual	4
11 12	333.10205	Pub saf	F	Removal of a human organ in an unapproved facility	4
13 14 15	333.13103(1)	PUB ORD	F	TATTOOING, BRANDING, OR BODY-PIERCING MINOR WITHOUT PARENTAL CONSENT	4
16 17	333.13738(2)	Pub saf	F	Waste disposal violations -- second offense	5
18 19	333.13738(3)	Pub saf	F	Disposing of waste -- indifference to human life	2
20 21		Pub saf	B	Disposing of waste -- extreme indifference to human life	20
22 23 24	333.16170(3)	Pub trst	F	False representation -- health professional recovery program	4
25 26	333.16294	Pub saf	F	Health profession -- unauthorized practice	4
27 28	333.17766a(2)	CS	F	Possession of steroids -- subsequent offense	4
29 30	333.17766a(3)	CS	E	Delivery or manufacture of steroids	7
31	333.17766a(4)	CS	G	Delivery of imitation steroids	7
32 33	333.17766c(2)	CS	G	Possession of more than 10 grams ephedrine	2
34 35	333.20142(5)	Pub trst	F	False statement -- application licensure health facility	4
36 37 38	333.21792	Pub trst	G	Nursing homes -- referral fees/bribing officials/accepting bribes	4

1	338.1053	Pub trst	F	Private security business and	
2				security alarm act violation	4
3	338.3434a(2)	Pub trst	F	Unauthorized disclosure of a	
4				social security number --	
5				subsequent offense	4
6	388.936	Pub trst	F	Knowingly making false state-	
7				ment -- school district	
8				loans	4
9	388.962	Pub trst	F	Knowingly making false state-	
10				ment -- school district	
11				loans	4
12	Enacting section 1. This amendatory act does not take				
13	effect unless Senate Bill No. _____ or House Bill No. 4769				
14	(request no. 03372'01) of the 91st Legislature is enacted into				
15	law.				