

HOUSE BILL No. 4773

May 15, 2001, Introduced by Reps. Anderson, Basham, Phillips, Daniels, Schauer, Bovin, Rich Brown, Jacobs, Neumann, Hale, Switalski, Ruth Johnson, Rivet, Zelenko, Plakas and O'Neil and referred to the Committee on Criminal Justice.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XVII

Sec. 17. (1) This chapter applies to the following felonies
enumerated in chapters 751 to 830 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat	Max
752.191	Pub	saf	G Felonious driving		2
752.273(2)(c) 752.272A(6)(B)	Pub	saf	F Sale or distribution of NITROUS OXIDE OR nitrous oxide device -- 2 or more prior convictions SUBSEQUENT OFFENSE		4

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

1	752.797(3)(f)	Variable	B	Using computer to commit crime	
2				punishable by a maximum term	
3				of imprisonment of at least	
4				20 years or for life	20
5	752.802	Property	H	Vending machines --	
6				manufacture/sale of slugs	5
7	752.811	Property	H	Breaking and entering a coin	
8				operated device	3
9	752.861	Person	G	Careless discharge of firearm	
10				causing injury or death	2
11	752.881	Person	G	Reckless use of bow and arrow	
12				resulting in injury or death	
13					2
14	752.1003	Property	F	Health care fraud -- false	
15				claim/state, unnecessary,	
16				conceal information	4
17	752.1004	Property	F	Health care fraud --	
18				kickbacks/referral fees	4
19	752.1005	Property	H	Health care fraud --	
20				conspiracy	10
21	752.1006	Property	D	Health care fraud -- subse-	
22				quent offense	20
23	752.1054(2)	Property	G	Copying audio/video recordings	
24				for gain	5
25	764.1e	Pub trst	C	Peace officer -- false state-	
26				ment in a complaint	15
27	767.4a	Pub trst	F	Disclosing or possessing grand	
28				jury information	4
29	767A.9(a)	Pub trst	C	Perjury committed in	
30	767A.9(A)			prosecutor's investigative	
31				hearing -- noncapital crime	15
32	767A.9(b)	Pub trst	B	Perjury committed in	
33	767A.9(B)			prosecutor's investigative	
34				hearing -- capital crime	Life
35	800.281(1)	Pub saf	H	Furnishing prisoner with	
36				contraband	5
37	800.281(2)	Pub saf	H	Furnishing prisoner with	
38				contraband outside	5

1	800.281(3)	Pub saf	H	Bringing contraband into	
2				prisons	5
3	800.281(4)	Pub saf	E	Prisoner possessing contraband	
4					5
5	800.283(1)	Pub saf	E	Furnishing weapon to prisoner	
6				in prison	5
7	800.283(2)	Pub saf	E	Prisons -- knowledge of a	
8				weapon in a correctional	
9				facility	5
10	800.283(3)	Pub saf	E	Bringing weapon into prison	5
11	800.283(4)	Pub saf	E	Prisoner possessing weapon	5
12	801.262(1)(a)	Pub saf	E	Bringing weapon into jail	5
13	801.262(1)(b)	Pub saf	E	Furnishing weapon to prisoner	
14				in jail	5
15	801.262(2)	Pub saf	E	Prisoner in jail possessing	
16				weapon	5
17	801.263(1)	Pub saf	H	Furnishing contraband to pris-	
18				oner in jail	5
19	801.263(2)	Pub saf	H	Prisoner in jail possessing	
20				contraband	5

21 (2) For a violation of section 797(3) of 1979 PA 53,
 22 MCL 752.797, determine the offense category, offense variable
 23 level, and prior record variable level based on the underlying
 24 offense.

25 Enacting section 1. This amendatory act does not take
 26 effect unless Senate Bill No. _____ or House Bill No. 4772
 27 (request no. 03759'01) of the 91st Legislature is enacted into
 28 law.