

HOUSE BILL No. 5776

March 7, 2002, Introduced by Reps. Kolb, Lemmons, Woodward, Jamnick, Hansen and Dennis 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 2001 PA 156.

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	2
6				conservation officer	
7	324.2157(1)(c)	Property	E	Damage to state property	5
8				involving \$1,000 to	
9				\$20,000 or with prior	
10				convictions	

1	324.2157(1)(d)	Property	D	Damage to state property	
2				involving \$20,000 or	
3				more or with prior	
4				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
41	324.14609(2)(B)	PUB SAF	H	RELEASING PBDE INTO THE	
42				ENVIRONMENT OR	

1				SUBMITTING FALSE REPORT	
2				RELATING TO PBDE	2
3	324.20139(3)	Pub saf	H	Hazardous waste -- know-	
4				ingly releases or	
5				causes the release	2
6	324.21324(1)	Pub saf	G	Underground storage tanks	
7				-- false or misleading	
8				information	5
9	324.21548(1)	Pub trst	H	False statement, report,	
10				claim, bid, work	
11				invoice, or other	
12				request for payment	5
13	324.30316(3)	Pub saf	H	NREPA violation -- subse-	
14				quent offense	2
15	324.31525	Person	G	NREPA -- imminent danger	
16				of death or serious	
17				injury -- subsequent	
18				offense	2
19	324.33939(1)	Pub trst	H	NREPA violation for com-	
20				mercial purposes	2
21	324.40118(11)	Pub ord	G	Wildlife conservation --	
22				buying or selling pro-	
23				ected animals -- sub-	
24				sequent offense	4
25	324.51120(2)	Property	H	Removing forest products	
26				over \$2,500	3
27	324.51512	Pub saf	D	Willfully setting forest	
28				fires	10
29	324.52908(1)(c)	Property	E	Damage to plant involving	
30				\$1,000 to \$20,000 or	
31				with prior convictions	5
32	324.52908(1)(d)	Property	D	Damage to plant involving	
33				\$20,000 or more or with	
34				prior convictions	10
35	324.61511	Pub trst	G	False affidavit under	
36				NREPA	5
37	324.61521(1)	Pub trst	G	Evading rule under NREPA	3
38	324.76107(3)	Pub ord	D	Removing or mutilating	
39				human body from Great	
40				Lakes bottomland	10

1	324.76107(4)(c)	Property	E	Recovering abandoned	
2				property in Great Lakes	
3				having value of \$1,000	
4				to \$20,000 or with	
5				prior convictions	5
6	324.76107(4)(d)	Property	D	Recovering abandoned	
7				property in Great Lakes	
8				having value of \$20,000	
9				or more or with prior	
10				convictions	10
11	324.80130d(1)	Pub ord	H	False representation to	
12				obtain personal	
13				information	4
14	324.80130d(2)	Pub ord	G	False representation to	
15				obtain personal infor-	
16				mation -- second	
17				offense	7
18	324.80130d(3)	Pub ord	C	False representation to	
19				obtain personal infor-	
20				mation -- third or sub-	
21				sequent offense	15
22	324.80172	Person	G	Negligent crippling or	
23				homicide by vessel	2
24	324.80173	Person	G	Felonious operation of a	
25				vessel	2
26	324.80176(4)	Person	C	Operating a vessel under	
27				the influence causing	
28				death	15
29	324.80176(5)	Person	E	Operating a vessel under	
30				the influence causing	
31				serious impairment	5
32	324.80177(1)(c)	Pub saf	E	Operating a vessel under	
33				the influence -- third	
34				or subsequent offense	5
35	324.80319a(1)	Pub ord	H	False representation to	
36				obtain personal	
37				information	4
38	324.80319a(2)	Pub ord	G	False representation to	
39				obtain personal infor-	
40				mation -- second	
41				offense	7

1	324.80319a(3)	Pub ord	C	False representation to	
2				obtain personal	
3				information -- third or	
4				subsequent offense	15
5	324.81120(1)	Pub ord	H	False representation to	
6				obtain personal	
7				information	4
8	324.81120(2)	Pub ord	G	False representation to	
9				obtain personal infor-	
10				mation -- second	
11				offense	7
12	324.81120(3)	Pub ord	C	False representation to	
13				obtain personal infor-	
14				mation -- third or sub-	
15				sequent offense	15
16	324.81134(6)	Pub saf	E	Operating an ORV under	
17				the influence -- third	
18				or subsequent offense	5
19	324.81134(7)	Person	C	Operating an ORV under	
20				the influence causing	
21				death	15
22	324.81134(8)	Person	E	Operating an ORV under	
23				the influence causing	
24				serious impairment	5
25	324.82126c(1)	Person	G	Operating a snowmobile	
26				carelessly or negli-	
27				gently causing death or	
28				serious impairment	2
29	324.82126c(2)	Person	G	Operating a snowmobile	
30				without regard to	
31				safety causing serious	
32				impairment	2
33	324.82127(4)	Person	C	Operating a snowmobile	
34				under the influence	
35				causing death	15
36	324.82127(5)	Person	E	Operating a snowmobile	
37				under the influence	
38				causing serious	
39				impairment	5
40	324.82128(1)(c)	Pub saf	E	Operating a snowmobile	
41				under the influence --	
42				third or subsequent	
43				offense	5

1 2 3	324.82160(1)	Pub ord	H	False representation to obtain personal information	4
4 5 6 7	324.82160(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
8 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 non-therapeutic 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 26	333.2813(3)	Pub trst	F	Unauthorized disclosure of social security number -- subsequent offense	4
27 28	333.2835(9)	Pub trst	G	Disclosing confidential information -- abortion	3
29 30 31	333.5210	Person	F	AIDS -- sexual penetration with uninformed partner	4
32 33	333.5661	Person	F	Fraud resulting in patient death	4
34 35 36	333.7341(8)	CS	G	Delivery or manufacture of imitation controlled substance	2
37 38 39 40	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	
2			of 225 or more but less	
3			than 650 grams of cer-	
4			tain schedule 1 or 2	
5			controlled substances	30
6	333.7401(2)(a)(iii)CS	B	Delivery or manufacture	
7			of 50 or more but less	
8			than 225 grams of cer-	
9			tain schedule 1 or 2	
10			controlled substances	20
11	333.7401(2)(a)(iv) CS	D	Delivery or manufacture	
12			of less than 50 grams	
13			of certain schedule 1	
14			or 2 controlled	
15			substances	20
16	333.7401(2)(b)(i) CS	B	Delivery or manufacture	
17			of methamphetamine	20
18	333.7401(2)(b)(ii) CS	E	Delivery or manufacture	
19			of certain schedule 1,	
20			2, or 3 controlled	
21			substances	7
22	333.7401(2)(c) CS	F	Delivery or manufacture	
23			of schedule 4 con-	
24			trolled substance	4
25	333.7401(2)(d)(i) CS	C	Delivery or manufacture	
26			of 45 or more kilograms	
27			of marijuana	15
28	333.7401(2)(d)(ii) CS	D	Delivery or manufacture	
29			of 5 or more but less	
30			than 45 kilograms of	
31			marijuana	7
32	333.7401(2)(d)(iii)CS	F	Delivery or manufacture	
33			of less than 5 kilo-	
34			grams or 20 plants of	
35			marijuana	4
36	333.7401(2)(e) CS	G	Delivery or manufacture	
37			of schedule 5 con-	
38			trolled substance	2
39	333.7401(2)(f) CS	D	Delivery or manufacture	
40			of an official or coun-	
41			terfeit prescription	
42			form	20

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

1	333.7402(2)(d)	CS	G	Delivery or manufacture	
2				of imitation schedule 5	
3				controlled substance	2
4	333.7402(2)(e)	CS	C	Delivery or manufacture	
5				of controlled substance	
6				analogue	15
7	333.7403(2)(a)(i)	CS	A	Possession of 650 or more	
8				grams of certain sched-	
9				ule 1 or 2 controlled	
10				substances by juvenile	Life
11	333.7403(2)(a)(ii)	CS	A	Possession of 225 or more	
12				but less than 650 grams	
13				of certain schedule 1	
14				or 2 controlled	
15				substances	30
16	333.7403(2)(a)(iii)	CS	B	Possession of 50 or more	
17				but less than 225 grams	
18				of certain schedule 1	
19				or 2 controlled	
20				substances	20
21	333.7403(2)(a)(iv)	CS	G	Possession of 25 or more	
22				but less than 50 grams	
23				of certain schedule 1	
24				or 2 controlled	
25				substances	4
26	333.7403(2)(a)(v)	CS	G	Possession of less than	
27				25 grams of certain	
28				schedule 1 or 2 con-	
29				trolled substances	4
30	333.7403(2)(b)(i)	CS	D	Possession of	
31				methamphetamine	10
32	333.7403(2)(b)(ii)	CS	G	Possession of certain	
33				schedule 1, 2, 3, or 4	
34				controlled substances	
35				or controlled sub-	
36				stances analogue	2
37	333.7403(2)(e)	CS	H	Possession of official	
38				prescription form	1
39	333.7405(a)	CS	G	Controlled substance vio-	
40				lations by licensee	2
41	333.7405(b)	CS	G	Manufacturing or	
42				distribution violations	
43				by licensee	2

1 2	333.7405(c)	CS	G	Refusing lawful inspection	2
3	333.7405(d)	CS	G	Maintaining drug house	2
4 5	333.7407(1)(a)	CS	G	Controlled substance violations by licensee	4
6 7 8	333.7407(1)(b)	CS	G	Use of fictitious, revoked, or suspended license number	4
9 10	333.7407(1)(c)	CS	G	Obtaining controlled substance by fraud	4
11 12 13	333.7407(1)(d)	CS	G	False reports under controlled substance article	4
14 15	333.7407(1)(e)	CS	G	Possession of counterfeiting implements	4
16 17 18	333.7407(1)(f)	CS	F	Disclosing or obtaining prescription information	4
19 20	333.7407(1)(g)	CS	F	Possession of counterfeit prescription form	4
21 22 23 24	333.7407(2)	CS	G	Refusing to furnish records under controlled substance article	4
25 26 27 28	333.7410a	CS	G	Controlled substance offense or offense involving GBL in or near a park	2
29 30 31	333.10204(1)	Pub ord	F	Transferring a human organ for valuable consideration	4
32 33 34	333.10204(4)	Pub saf	F	Removal of a human organ by an unauthorized individual	4
35 36 37	333.10205	Pub saf	F	Removal of a human organ in an unapproved facility	4
38 39	333.13738(2)	Pub saf	F	Waste disposal violations -- second offense	5

1	333.13738(3)	Pub saf	F	Disposing of waste --	
2				indifference to human	
3				life	2
4		Pub saf	B	Disposing of waste --	
5				extreme indifference to	
6				human life	20
7	333.16170(3)	Pub trst	F	False representation --	
8				health professional	
9				recovery program	4
10	333.16294	Pub saf	F	Health profession --	
11				unauthorized practice	4
12	333.17766a(2)	CS	F	Possession of steroids --	
13				subsequent offense	4
14	333.17766a(3)	CS	E	Delivery or manufacture	
15				of steroids	7
16	333.17766a(4)	CS	G	Delivery of imitation	
17				steroids	7
18	333.17766c(2)	CS	G	Possession of more than	
19				10 grams ephedrine	2
20	333.20142(5)	Pub trst	F	False statement -- appli-	
21				cation licensure health	
22				facility	4
23	333.21792	Pub trst	G	Nursing homes -- referral	
24				fees/bribing officials/	
25				accepting bribes	4
26	338.1053	Pub trst	F	Private security business	
27				and security alarm act	
28				violation	4
29	338.3434a(2)	Pub trst	F	Unauthorized disclosure	
30				of a social security	
31				number -- subsequent	
32				offense	4
33	388.936	Pub trst	F	Knowingly making false	
34				statement -- school	
35				district loans	4
36	388.962	Pub trst	F	Knowingly making false	
37				statement -- school	
38				district loans	4

1 Enacting section 1. This amendatory act does not take
2 effect unless Senate Bill No. _____ or House Bill No. 5775
3 (request no. 05069'01) of the 91st Legislature is enacted into
4 law.