

SENATE BILL No. 505

May 22, 2001, Introduced by Senator HOFFMAN and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending sections 1 and 12 of chapter XVII (MCL 777.1 and
777.12), section 1 of chapter XVII as amended by 2000 PA 279 and
section 12 of chapter XVII as amended by 2000 PA 459.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

CHAPTER XVII

Sec. 1. As used in this chapter:

(a) "Aircraft" means that term as defined in section 4 of
the aeronautics code of the state of Michigan, 1945 PA 327, MCL
259.4.

(B) "COMMERCIAL AIRPORT" MEANS AN AIRPORT THAT HAS REGULARLY
SCHEDULED COMMERCIAL FLIGHTS TO AND FROM OTHER DESTINATIONS.

(C) ~~-(b)-~~ "Departure" means that term as defined in section
31 of chapter IX.

1 (D) ~~(c)~~ "Homicide" means any crime in which the death of a
2 human being is an element of that crime.

3 (E) ~~(d)~~ "Intermediate sanction" means that term as defined
4 in section 31 of chapter IX.

5 (F) ~~(e)~~ "ORV" means that term as defined in section 81101
6 of the natural resources and environmental protection act, 1994
7 PA 451, MCL 324.81101.

8 (G) ~~(f)~~ "Snowmobile" means that term as defined in section
9 82101 of the natural resources and environmental protection act,
10 1994 PA 451, MCL 324.82101.

11 (H) ~~(g)~~ "Vehicle" means that term as defined in section 79
12 of the Michigan vehicle code, 1949 PA 300, MCL 257.49.

13 (I) ~~(h)~~ "Vessel" means that term as defined in section
14 80104 of the natural resources and environmental protection act,
15 1994 PA 451, MCL 324.80104.

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

18	M.C.L.	Category Class Description			Stat Max
19 20	205.27(1)(a)	Pub trst	G	Failure to file or false tax return or payment	5
21 22 23	205.27(1)(b)	Pub trst	G	Aiding and abetting tax evasion or filing false returns	5
24 25	205.27(1)(c)	Pub trst	G	Making/permitting false tax returns or payments	5
26	205.27(3)	Pub trst	G	False tax returns/perjury	15
27 28	205.28(1)(e)	Pub trst	G	State employee compromis- ing taxes	5
29 30	205.28(1)(f)	Pub trst	G	Unauthorized disclosure of tax information	5

1 2	205.428(2)	Pub trst	G	Tobacco products tax act violations	5
3 4 5 6 7	205.428(3)	Pub trst	G	Illegal sale of cigarettes or other tobacco products with wholesale price of \$250.00 or more	5
8 9	205.428(6)	Pub trst	F	Illegal tobacco stamp or tobacco stamp device	10
10 11 12	205.428(7)	Pub trst	G	Illegal vending machine license, disk, or marker	5
13 14	207.118a	Pub ord	G	Gasoline tax -- embezzlement over \$100	10
15 16	207.119	Pub trst	G	Gasoline or motor fuel tax violation	4
17 18	207.127c	Pub ord	G	Diesel fuel tax -- embezzlement over \$100	10
19 20 21 22	207.754(3)	Pub trst	G	State treasurer -- municipality tax -- divulging confidential information	5
23 24 25	252.311	Property	H	Destroying a tree or shrub to make a sign more visible	2
26	257.233a(7)	Pub ord	G	Odometer tampering	5
27 28	257.254	Property	E	Possessing stolen vehicle title	10
29 30 31	257.257(1)	Property	G	Altering or forging vehicle documents -- first offense	5
32 33 34	257.257(2)	Property	G	Altering or forging vehicle documents -- second offense	7
35 36 37	257.257(3)	Property	E	Altering or forging vehicle documents -- third or subsequent offense	15
38 39	257.309(6)	Pub ord	F	Corrupting an examining officer	5

1 2	257.309(7)	Pub ord	F	Deviating from road test criteria	5
3 4 5	257.309(8)	Pub ord	F	Forging, counterfeiting, or altering road test certification	5
6 7 8	257.312b(6)	Pub ord	F	Corrupting a person or agency conducting a motorcycle driving test	5
9 10	257.312b(7)	Pub ord	F	Deviating from motorcycle road test criteria	5
11 12 13	257.312b(8)	Pub ord	F	Forging, counterfeiting, or altering motorcycle road test certification	5
14 15 16	257.329(1)	Property	G	Possession/sale of stolen or counterfeit insurance certificates	5
17 18 19 20	257.329(2)	Property	E	Possession/sale of stolen or counterfeit insurance certificates -- second offense	7
21 22 23 24 25	257.329(3)	Property	E	Possession/sale of stolen or counterfeit insurance certificates -- third or subsequent offense	15
26 27	257.602a(2)	Pub saf	G	Fleeing and eluding -- fourth degree	2
28 29	257.602a(3)	Pub saf	E	Fleeing and eluding -- third degree	5
30 31	257.602a(4)	Person	D	Fleeing and eluding -- second degree	10
32 33	257.602a(5)	Person	C	Fleeing and eluding -- first degree	15
34 35 36	257.617	Person	E	Failure to stop at scene of a serious personal injury accident	5
37 38 39	257.625(4)(a)	Person	C	Operating a vehicle under the influence or while impaired causing death	15

1	257.625(4)(b)	Person	B	Operating a vehicle under the influence or while impaired causing death to emergency personnel	20
2					
3					
4					
5	257.625(5)	Person	E	Operating a vehicle under the influence or while impaired causing serious impairment	5
6					
7					
8					
9	257.625(7)(a)(ii)	Person	E	Operating a vehicle under the influence or while impaired with a minor in the vehicle -- subsequent offense	5
10					
11					
12					
13					
14	257.625(8)(c)	Pub saf	E	Operating a vehicle under the influence -- third or subsequent offense	5
15					
16					
17	257.625(9)(b)	Person	E	Allowing a vehicle to be operated while under the influence or impaired causing death	5
18					
19					
20					
21	257.625(9)(c)	Person	G	Allowing a vehicle to be operated while under the influence or impaired causing serious impairment	2
22					
23					
24					
25					
26	257.625(10)(c)	Pub saf	E	Impaired driving -- third or subsequent offense	5
27					
28	257.625k(7)	Pub saf	D	Knowingly providing false information concerning an ignition interlock device	10
29					
30					
31					
32	257.625k(9)	Pub saf	D	Failure to report that an ignition interlock device does not meet legal requirements	10
33					
34					
35					
36	257.625m(5)	Pub saf	E	Commercial drunk driving -- third or subsequent offense	5
37					
38					
39	257.653a(3)	Person	G	Failure to use due care and caution causing injury to emergency personnel	2
40					
41					
42					

1	257.653a(4)	Person	C	Failure to use due care and caution causing death to emergency personnel	15
2					
3					
4					
5	257.744a	Pub saf	D	False statement in citation -- perjury	15
6					
7	257.902	Pub saf	E	Motor vehicle code violations	5
8					
9	257.903(1)	Property	E	Motor vehicle code -- false certification -- first offense	5
10					
11					
12	257.903(2)	Property	E	Motor vehicle code -- false certification -- second offense	7
13					
14					
15	257.903(3)	Property	D	Motor vehicle code -- false certification -- third or subsequent offense	15
16					
17					
18					
19	257.904(4)	Person	C	Operating a vehicle without a license causing death	15
20					
21					
22	257.904(5)	Person	E	Operating a vehicle without a license causing serious impairment	5
23					
24					
25	257.904(7)	Person	G	Allowing a vehicle to be operated without a license causing serious impairment	2
26					
27					
28					
29		Person	E	Allowing a vehicle to be operated without a license causing death	5
30					
31					
32	257.1353(2)	Pub trst	H	Motor vehicle -- fail to record material matter -- subsequent offense	2
33					
34					
35	257.1354(2)	Pub trst	H	Motor vehicle -- general violations -- subsequent offense	2
36					
37					
38	257.1355	Pub trst	H	Motor vehicle -- fail to record transaction/falsify records	2
39					
40					
41					

1	259.80F(2)	PUB SAF	F	FIREARM ON COMMERCIAL	
2				AIRPORT PROPERTY --	
3				THIRD OFFENSE FOR	
4				LICENSEE OR OTHER FIRST	
5				OFFENSE	4
6	259.183	Property	E	Aircraft -- unlawful	
7				taking or tampering	5
8	259.185(4)	Person	C	Operating or serving as	
9				crew of aircraft while	
10				under the influence	
11				causing death	15
12	259.185(5)	Person	E	Operating or serving as	
13				crew of aircraft while	
14				under the influence	
15				causing serious	
16				impairment	5
17	259.185(8)	Pub saf	E	Operating or serving as	
18				crew of aircraft while	
19				under the influence --	
20				third or subsequent	
21				offense	5
22	285.82	Pub trst	H	Grain dealers act	
23				violations	5
24	285.279	Pub trst	E	Falsely obtaining money	
25				-- agricultural land	10
26	286.455(2)	Pub saf	G	Agriculture -- hazardous	
27				substance	5
28	286.929(4)	Pub trst	G	Organic products act	
29				violations	4
30	287.77(1)	Pub saf	H	Agriculture -- livestock	
31				condemnation	4
32	287.323(1)	Person	C	Dangerous animal causing	
33				death	15
34	287.323(2)	Person	G	Dangerous animal causing	
35				serious injury	4
36	287.679	Pub ord	H	Dead animals	1
37	287.744(1)	Pub ord	G	Animal industry act	
38				violations	5
39	287.855	Pub saf	G	Agriculture --	
40				contaminating	

1				livestock/false	
2				statement/violation of	
3				quarantine	5
4	287.967(5)	Pub ord	G	Cervidae producer	
5				violation	4
6	288.223	Pub saf	G	Sale or labeling of oleo-	
7				margarine violations	3
8	288.257	Pub saf	G	Margarine violations	3
9	288.284	Pub trst	H	Selling falsely branded	
10				cheese	2
11	289.5107(2)	Pub saf	F	Adulterated, misbranded,	
12				or falsely identified	
13				food	4
14	290.629(1)	Person	G	Weights and measures --	
15				assaults enforcement	
16				officer	2
17	290.631(3)	Pub trst	G	Weights and measures	5
18	290.650	Person	G	Motor fuels --	
19				assaulting/obstructing	
20				director or authorized	
21				representative	2
22	290.650b(3)	Pub trst	H	Motor fuels violations	2
23	Enacting section 1. This amendatory act does not take				
24	effect unless Senate Bill No. 502 of the 91st Legislature is				
25	enacted into law.				