

Act No. 124
Public Acts of 2002
Approved by the Governor
March 29, 2002
Filed with the Secretary of State
April 1, 2002
EFFECTIVE DATE: April 22, 2002

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2002**

Introduced by Senators Leland, Cherry, Peters, Hoffman, Byrum, Goschka and McCotter

ENROLLED SENATE BILL No. 997

AN ACT to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 159g (MCL 750.159g), as amended by 1997 PA 75.

The People of the State of Michigan enact:

Sec. 159g. As used in this chapter, "racketeering" means committing, attempting to commit, conspiring to commit, or aiding or abetting, soliciting, coercing, or intimidating a person to commit an offense for financial gain, involving any of the following:

(a) A felony violation of section 8 of the tobacco products tax act, 1993 PA 327, MCL 205.428, concerning tobacco product taxes, or section 9 of former 1947 PA 265, concerning cigarette taxes.

(b) A violation of section 11151(3) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11151, or section 48(3) of former 1979 PA 64, concerning felonious disposal of hazardous waste.

(c) A felony violation of part 74 or section 17766a of the public health code, 1978 PA 368, MCL 333.7401 to 333.7461 and 333.17766a, concerning controlled substances or androgenic anabolic steroids.

(d) A felony violation of section 60 of the social welfare act, 1939 PA 280, MCL 400.60, concerning welfare fraud.

(e) A violation of section 4, 5, or 7 of the medicaid false claim act, 1977 PA 72, MCL 400.604, 400.605, and 400.607, concerning medicaid fraud.

(f) A felony violation of section 18 of the Michigan gaming control and revenue act, the Initiated Law of 1996, MCL 432.218, concerning the business of gaming.

(g) A violation of section 409 of the uniform securities act, 1964 PA 265, MCL 451.809, concerning securities fraud.

(h) A violation of section 5 or 7 of 1978 PA 33, MCL 722.675 and 722.677, concerning the display or dissemination of obscene matter to minors.

(i) A felony violation of section 72, 73, 74, 75, or 77, concerning arson.

(j) A violation of section 93, 94, 95, or 96, concerning bank bonds, bills, notes, and property.

(k) A violation of section 110 or 110a, concerning breaking and entering or home invasion.

(l) A violation of section 117, 118, 119, 120, 121, or 124, concerning bribery.

(m) A violation of section 120a, concerning jury tampering.

(n) A violation of section 145c, concerning child sexually abusive activity or material.

(o) A felony violation of section 157n, 157p, 157q, 157r, 157s, 157t, or 157u, concerning credit cards or financial transaction devices.

(p) A felony violation of section 174, 175, 176, 180, 181, or 182, concerning embezzlement.

- (q) A felony violation of chapter XXXIII, concerning explosives and bombs.
- (r) A violation of section 213, concerning extortion.
- (s) A felony violation of section 218, concerning false pretenses.
- (t) A felony violation of section 223(2), 224(1)(a), (b), or (c), 224b, 224c, 224e(1), 226, 227, 234a, 234b, or 237a, concerning firearms or dangerous weapons.
- (u) A felony violation of chapter XLI, concerning forgery and counterfeiting.
- (v) A violation of section 271, 272, 273, or 274, concerning securities fraud.
- (w) A violation of section 300a, concerning food stamps or coupons or access devices.
- (x) A violation of section 301, 302, 303, 304, 305, 305a, or 313, concerning gambling.
- (y) A violation of section 316 or 317, concerning murder.
- (z) A violation of section 330, 331, or 332, concerning horse racing.
- (aa) A violation of section 349, 349a, or 350, concerning kidnapping.
- (bb) A felony violation of chapter LII, concerning larceny.
- (cc) A violation of section 411k, concerning money laundering.
- (dd) A violation of section 422, 423, 424, or 425, concerning perjury or subornation of perjury.
- (ee) A violation of section 452, 455, 457, 458, or 459, concerning prostitution.
- (ff) A violation of section 529, 529a, 530, or 531, concerning robbery.
- (gg) A felony violation of section 535, 535a, or 536a, concerning stolen, embezzled, or converted property.
- (hh) A violation of chapter LXXXIII-A, concerning terrorism.
- (ii) A violation of section 5 of 1984 PA 343, MCL 752.365, concerning obscenity.
- (jj) An offense committed within this state or another state that constitutes racketeering activity as defined in section 1961(1) of title 18 of the United States Code, 18 U.S.C. 1961.
- (kk) An offense committed within this state or another state in violation of a law of the United States that is substantially similar to a violation listed in subdivisions (a) through (ii).
- (ll) An offense committed in another state in violation of a statute of that state that is substantially similar to a violation listed in subdivisions (a) through (ii).

Enacting section 1. This amendatory act takes effect April 22, 2002.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 930 of the 91st Legislature is enacted into law.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Ray E. Randall

Clerk of the House of Representatives.

Approved _____

Governor.