

HOUSE BILL No. 4751

May 27, 2003, Introduced by Rep. Jamnick and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 159g (MCL 750.159g), as amended by 2002
PA 124.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

10 (b) A violation of section 11151(3) of the natural resources

1 and environmental protection act, 1994 PA 451, MCL 324.11151, or
2 section 48(3) of former 1979 PA 64, concerning felonious disposal
3 of hazardous waste.

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

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

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

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

16 (g) A violation of section 409 of the uniform securities act,
17 1964 PA 265, MCL 451.809, concerning securities fraud.

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

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

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

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

27 (l) A violation of section 117, 118, 119, 120, 121, or 124,

1 concerning bribery.

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

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

5 (o) A felony violation of section 157n, 157p, 157q, 157r,
6 157s, 157t, or 157u, concerning credit cards or financial
7 transaction devices.

8 (p) A felony violation of section 174, 175, 176, 180, 181, or
9 182, concerning embezzlement.

10 (q) A felony violation of chapter XXXVIII, concerning
11 explosives and bombs.

12 (r) A violation of section 213, concerning extortion.

13 (s) A felony violation of section 218, concerning false
14 pretenses.

15 (t) A felony violation of section 223(2), 224(1)(a), (b), or
16 (c), 224b, 224c, 224e(1), 226, 227, 234a, 234b, or 237a,
17 concerning firearms or dangerous weapons.

18 (u) A felony violation of chapter XLI, concerning forgery and
19 counterfeiting.

20 (v) A violation of section 271, 272, 273, or 274, concerning
21 securities fraud.

22 (w) A violation of section 300a, concerning food stamps or
23 coupons or access devices.

24 (x) A violation of section 301, 302, 303, 304, 305, 305a, or
25 313, concerning gambling.

26 (y) A violation of section 316 or 317, concerning murder.

27 (z) A violation of section 330, 331, or 332, concerning horse

1 racing.

2 (aa) A violation of section 349, 349a, or 350, concerning
3 kidnapping.

4 (bb) A felony violation of chapter LII, concerning larceny.

5 (cc) A violation of section 411k, concerning money
6 laundering.

7 (dd) A violation of section 422, 423, 424, or 425, concerning
8 perjury or subornation of perjury.

9 (ee) A violation of section 452, 455, 457, 458, or 459,
10 concerning prostitution.

11 (ff) A violation of section 529, 529a, 530, or 531,
12 concerning robbery.

13 (gg) A felony violation of section 535, 535a, or 536a,
14 concerning stolen, embezzled, or converted property.

15 (hh) A violation of chapter LXXXIII-A, concerning terrorism.

16 (ii) A violation of section 5 of 1984 PA 343, MCL 752.365,
17 concerning obscenity.

18 (jj) Five or more violations of the Stille-DeRossett-Hale
19 single state construction code act, 1972 PA 230, MCL 125.1501 to
20 125.1531, or other state law or local ordinance pertaining to the
21 construction, maintenance, repair, upkeep, or alteration of a
22 building, building unit, or structure, for occupying or allowing
23 occupancy of a building, building unit, or structure without 1 or
24 more of the following:

25 (i) A certificate of use.

26 (ii) A certificate of occupancy.

27 (iii) A certificate of compliance.

1 **(kk)** ~~—(jj)—~~ An offense committed within this state or another
2 state that constitutes racketeering activity as defined in
3 section 1961(1) of title 18 of the United States Code, 18
4 U.S.C. 1961.

5 **(ll)** ~~—(kk)—~~ An offense committed within this state or another
6 state in violation of a law of the United States that is
7 substantially similar to a violation listed in subdivisions (a)
8 through ~~—(ii)—~~ **(jj)**.

9 **(mm)** ~~—(ll)—~~ An offense committed in another state in
10 violation of a statute of that state that is substantially
11 similar to a violation listed in subdivisions (a) through ~~—(ii)—~~
12 **(jj)**.