

Act No. 382
Public Acts of 2004
Approved by the Governor
October 12, 2004
Filed with the Secretary of State
October 12, 2004
EFFECTIVE DATE: October 12, 2004

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004**

Introduced by Reps. Ruth Johnson, LaJoy, Farrah, Ward and Koetje

ENROLLED HOUSE BILL No. 5772

AN ACT to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 13c of chapter XVII (MCL 777.13c), as added by 2002 PA 30.

The People of the State of Michigan enact:

CHAPTER XVII

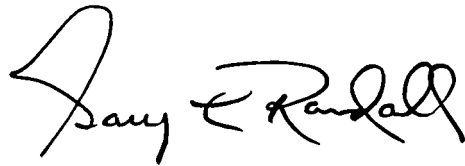
Sec. 13c. This chapter applies to the following felonies enumerated in chapter 324 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
324.3115(2)	Pub saf	H	Water pollution	2
324.3115(4)	Pub saf	G	Water pollution — substantial endangerment	5
324.5531(4)	Pub saf	H	Knowingly releasing air pollutants	2
324.5531(5)	Pub saf	G	Knowingly releasing air pollutants — causing death or serious bodily injury	6
324.5531(6)	Pub saf	C	Knowingly releasing air pollutants — intentionally causing death or serious bodily injury	15
324.8905(2)	Pub saf	H	Littering — infectious waste/pathological waste/sharps	2

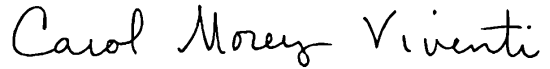
324.8905(3)	Pub saf	G	Littering — infectious waste/pathological waste/sharps — subsequent offense	5
324.11151(2)	Pub saf	H	Hazardous waste — subsequent offense	2
324.11151(3)	Pub saf	H	Hazardous waste — disregard for human life	2
324.11151(3)	Pub saf	G	Hazardous waste — extreme indifference for human life	5
324.11719(2)	Pub saf	G	Septage — false statement or entry in a license application or other record	2
324.12116(2)	Pub saf	H	Liquid industrial waste — false statement in a license application	2
324.20139(3)	Pub saf	H	Hazardous substance — knowingly releasing or causing release	2
324.21324(1)	Pub saf	G	Underground storage tanks — false or misleading information	5
324.21548(1)	Pub trst	H	Underground storage tanks — false request for payment	5

Enacting section 1. This amendatory act does not take effect unless House Bill No. 5771 of the 92nd Legislature is enacted into law.

This act is ordered to take immediate effect.



.....
Clerk of the House of Representatives



.....
Secretary of the Senate

Approved

.....
Governor