

Act No. 524
Public Acts of 2004
Approved by the Governor
December 30, 2004
Filed with the Secretary of State
January 3, 2005
EFFECTIVE DATE: April 1, 2005

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

Introduced by Senator Van Woerkom

ENROLLED SENATE BILL No. 1288

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 16k of chapter XVII (MCL 777.16k), as amended by 2001 PA 136.

The People of the State of Michigan enact:

CHAPTER XVII

Sec. 16k. This chapter applies to the following felonies enumerated in chapter 750 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
750.200	Pub saf	E	Transporting an explosive by common carrier	5
750.200i(2)(a)	Pub saf	C	Manufacturing or using a harmful device	15
750.200i(2)(b)	Property	B	Harmful device causing property damage	20
750.200i(2)(c)	Person	A	Harmful device causing personal injury	25
750.200i(2)(d)	Person	A	Harmful device causing serious impairment	Life

750.200j(2)(a)	Person	E	Irritant or irritant device	5
750.200j(2)(b)	Property	E	Irritant or irritant device causing property damage	7
750.200j(2)(c)	Person	D	Irritant or irritant device causing personal injury	10
750.200j(2)(d)	Person	A	Irritant or irritant device causing serious impairment	25
750.200j(2)(e)	Person	A	Irritant or irritant device causing death	Life
750.200l	Person	E	Falsely exposing person to harmful substance or device	5
750.201	Pub saf	E	Transporting certain types of explosives	5
750.202	Pub saf	F	Shipping an explosive with false markings or invoice	4
750.204(2)(a)	Pub saf	C	Sending an explosive with malicious intent	15
750.204(2)(b)	Property	B	Sending an explosive causing property damage	20
750.204(2)(c)	Person	A	Sending an explosive causing physical injury	25
750.204(2)(d)	Person	A	Sending an explosive causing serious impairment	Life
750.204a	Pub saf	E	Sending or transporting an imitation explosive device with malicious intent	5
750.207(2)(a)	Pub saf	C	Placing an explosive with malicious intent	15
750.207(2)(b)	Property	B	Placing an explosive causing property damage	20
750.207(2)(c)	Person	A	Placing an explosive causing physical injury	25
750.207(2)(d)	Person	A	Placing an explosive causing serious impairment	Life
750.209(1)(a)	Pub saf	C	Placing an offensive or injurious substance with intent to injure	15
750.209(1)(b)	Property	B	Placing an offensive or injurious substance causing property damage	20
750.209(1)(c)	Person	A	Placing an offensive or injurious substance causing physical injury	25
750.209(1)(d)	Person	A	Placing an offensive or injurious substance causing serious impairment	Life
750.209(2)	Pub saf	E	Placing an offensive or injurious substance with intent to alarm or annoy	5
750.209a	Pub saf	D	Possessing an explosive device in public place	10
750.210(2)(a)	Pub saf	C	Possessing or carrying an explosive or combustible substance with malicious intent	15
750.210(2)(b)	Property	B	Possessing or carrying an explosive or combustible substance causing property damage	20
750.210(2)(c)	Person	A	Possessing or carrying an explosive or combustible substance causing physical injury	25
750.210(2)(d)	Person	A	Possessing or carrying an explosive or combustible substance causing serious impairment	Life
750.210a	Pub saf	H	Sale of valerium	5
750.211a(2)(a)	Pub saf	F	Manufacturing or possessing a Molotov cocktail or similar device designed to explode upon impact or by heat or flame or that is highly incendiary	4
750.211a(2)(b)	Pub saf	C	Manufacturing or possessing an explosive or incendiary device with malicious intent	15
750.211a(2)(c)	Property	B	Manufacturing or possessing an explosive or incendiary device causing property damage	20
750.211a(2)(d)	Person	A	Manufacturing or possessing an explosive or incendiary device causing physical injury	25
750.211a(2)(e)	Person	A	Manufacturing or possessing an explosive or incendiary device causing serious impairment	Life
750.212a	Person	B	Explosives violation involving a vulnerable target causing death or injury	20

Enacting section 1. This amendatory act takes effect April 1, 2005.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 1287 of the 92nd Legislature is enacted into law.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Gay E. Randall

Clerk of the House of Representatives

Approved

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Governor