

Act No. 65
Public Acts of 2008
Approved by the Governor
April 2, 2008
Filed with the Secretary of State
April 3, 2008
EFFECTIVE DATE: April 3, 2008

**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2008**

**Introduced by Senators Richardville, Anderson, Sanborn, Kahn, Gleason, Schauer, Birkholz, Stamas, Clarke,
Olshove, Brown, Cassis and Hunter**

ENROLLED SENATE BILL No. 827

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 14h of chapter XVII (MCL 777.14h), as amended by 2006 PA 594.

The People of the State of Michigan enact:

CHAPTER XVII

Sec. 14h. This chapter applies to the following felonies enumerated in chapter 445 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
445.65	Pub ord	E	Identity theft	5
445.67	Pub ord	E	Obtain, possess, sell, or transfer personal identifying information of another or falsify a police report with intent to commit identity theft	5
445.408(2)	Pub ord	F	Buying or selling stolen scrap metal	3
445.408(3)	Pub ord	E	Buying or selling stolen scrap metal removed from a utility pole, telecommunications company property, government property, or utility property or jobsite	5
445.487(2)	Pub ord	H	Precious metal and gem dealer failure to record material matter — subsequent offense	2

445.488(2)	Pub ord	H	Precious metal and gem dealer violations — subsequent offense	2
445.489	Pub ord	H	Precious metal and gem dealer violations	2
445.490	Pub ord	H	Precious metal and gem dealer failure to obtain a certificate of registration	2
445.779	Pub ord	H	Antitrust violation	2
445.1505	Pub trst	G	Franchise investment law — fraudulent filing/offers	7
445.1508	Pub trst	G	Franchise investment law — sale without proper disclosure	7
445.1513	Pub trst	G	Franchise investment law — illegal offers/sales	7
445.1520	Pub trst	G	Franchise investment law — keeping records	7
445.1521	Pub trst	G	Franchise investment law — false representation	7
445.1523	Pub trst	G	Franchise investment law — false statements of material fact	7
445.1525	Pub trst	G	Franchise investment law — false advertising	7
445.1528	Pub trst	D	Pyramid/chain promotions — offer or sell	7
445.1671	Pub trst	E	Mortgage brokers, lenders — knowingly giving a false statement	15
445.2507(2)	Pub ord	F	Violation of unsolicited commercial e-mail protection act in furtherance of crime	4

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) Senate Bill No. 826.
- (b) Senate Bill No. 828.
- (c) Senate Bill No. 829.
- (d) Senate Bill No. 830.
- (e) Senate Bill No. 831.
- (f) Senate Bill No. 832.
- (g) Senate Bill No. 833.
- (h) House Bill No. 5287.
- (i) House Bill No. 5288.
- (j) House Bill No. 5289.
- (k) House Bill No. 5290.
- (l) House Bill No. 5291.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved _____

Governor