

SENATE BILL No. 1311

April 29, 2010, Introduced by Senators THOMAS, OLSHOVE, WHITMER, JACOBS, SWITALSKI, ANDERSON, HUNTER, GLEASON, BRATER, CHERRY, PRUSI, PATTERSON, BIRKHOLZ, KUIPERS, BROWN, NOFS and RICHARDVILLE and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 282a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 282A. (1) A PERSON WHO SELLS OR TRANSFERS OR ATTEMPTS TO
2 SELL OR TRANSFER THE PRODUCT OR SERVICE OF AN ELECTRIC PROVIDER OR
3 NATURAL GAS PROVIDER TO ANY OTHER PERSON, KNOWING OR HAVING REASON
4 TO KNOW THAT THE PRODUCT OR SERVICE WAS OBTAINED ILLEGALLY, IS
5 GUILTY OF A CRIME AS FOLLOWS:

6 (A) EXCEPT AS PROVIDED IN SUBDIVISION (B), THE PERSON IS
7 GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 5
8 YEARS OR A FINE OF NOT MORE THAN \$5,000.00, OR BOTH.

9 (B) IF THE PERSON WAS PREVIOUSLY CONVICTED OF VIOLATING THIS
10 SECTION, THE PERSON IS GUILTY OF A FELONY PUNISHABLE BY

1 IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR A FINE OF NOT MORE THAN
2 \$10,000.00, OR BOTH.

3 (2) AS USED IN THIS SECTION:

4 (A) "ELECTRIC PROVIDER" MEANS THAT TERM AS DEFINED IN SECTION
5 5 OF THE CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT, 2008 PA 295,
6 MCL 460.1005.

7 (B) "NATURAL GAS PROVIDER" MEANS THAT TERM AS DEFINED IN
8 SECTION 9 OF THE CLEAN, RENEWABLE, AND EFFICIENT ENERGY ACT, 2008
9 PA 295, MCL 460.1009.