

# SENATE BILL No. 226

February 12, 2009, Introduced by Senators BASHAM, JELINEK and JACOBS and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending section 14h of chapter XVII (MCL 777.14h), as amended  
by 2008 PA 430.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### 1 CHAPTER XVII

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

| 4 | M.C.L. | Category | Class | Description                                        | Stat Max |
|---|--------|----------|-------|----------------------------------------------------|----------|
| 5 | 445.65 | Pub ord  | E     | Identity theft                                     | 5        |
| 6 |        | PUB ORD  | D     | IDENTITY THEFT -<br>SECOND OFFENSE                 | 10       |
| 7 |        | PUB ORD  | C     | IDENTITY THEFT -<br>THIRD OR SUBSEQUENT<br>OFFENSE | 15       |

|   |            |         |   |                                                                                                                                                                                                         |    |
|---|------------|---------|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 1 | 445.67     | Pub ord | E | Obtain, possess,<br>sell, or transfer<br>personal identifying<br>information of<br>another or falsify a<br>police report with<br>intent to commit<br>identity theft                                     | 5  |
| 2 |            | PUB ORD | D | OBTAIN, POSSESS,<br>SELL, OR TRANSFER<br>PERSONAL IDENTIFYING<br>INFORMATION OF<br>ANOTHER OR FALSIFY A<br>POLICE REPORT WITH<br>INTENT TO COMMIT<br>IDENTITY THEFT -<br>SECOND OFFENSE                 | 10 |
| 3 |            | PUB ORD | C | OBTAIN, POSSESS,<br>SELL, OR TRANSFER<br>PERSONAL IDENTIFYING<br>INFORMATION OF<br>ANOTHER OR FALSIFY A<br>POLICE REPORT WITH<br>INTENT TO COMMIT<br>IDENTITY THEFT -<br>THIRD OR SUBSEQUENT<br>OFFENSE | 15 |
| 4 | 445.408(2) | Pub ord | E | Buying or selling<br>stolen scrap metal                                                                                                                                                                 | 5  |
| 5 | 445.408(3) | Pub ord | E | Buying or selling<br>stolen scrap metal -<br>second or subsequent<br>offense                                                                                                                            | 5  |
| 6 | 445.433(2) | Pub ord | E | Knowingly buying or<br>selling stolen<br>nonferrous metal<br>articles                                                                                                                                   | 5  |
| 7 | 445.487(2) | Pub ord | H | Precious metal and<br>gem dealer failure to<br>record material<br>matter - subsequent<br>offense                                                                                                        | 2  |

|    |             |          |   |                                                                                        |   |
|----|-------------|----------|---|----------------------------------------------------------------------------------------|---|
| 1  | 445.488 (2) | Pub ord  | H | Precious metal and<br>gem dealer violations<br>– subsequent offense                    | 2 |
| 2  | 445.489     | Pub ord  | H | Precious metal and<br>gem dealer violations                                            | 2 |
| 3  | 445.490     | Pub ord  | H | Precious metal and<br>gem dealer failure to<br>obtain a certificate<br>of registration | 2 |
| 4  | 445.779     | Pub ord  | H | Antitrust violation                                                                    | 2 |
| 5  | 445.1505    | Pub trst | G | Franchise investment<br>law – fraudulent<br>filing/offers                              | 7 |
| 6  | 445.1508    | Pub trst | G | Franchise investment<br>law – sale without<br>proper disclosure                        | 7 |
| 7  | 445.1513    | Pub trst | G | Franchise investment<br>law – illegal<br>offers/sales                                  | 7 |
| 8  | 445.1520    | Pub trst | G | Franchise investment<br>law – keeping records                                          | 7 |
| 9  | 445.1521    | Pub trst | G | Franchise investment<br>law – false<br>representation                                  | 7 |
| 10 | 445.1523    | Pub trst | G | Franchise investment<br>law – false<br>statements of<br>material fact                  | 7 |
| 11 | 445.1525    | Pub trst | G | Franchise investment<br>law – false<br>advertising                                     | 7 |
| 12 | 445.1528    | Pub trst | D | Pyramid/chain<br>promotions – offer or<br>sell                                         | 7 |

|   |             |          |   |                                                                                               |    |
|---|-------------|----------|---|-----------------------------------------------------------------------------------------------|----|
| 1 | 445.1671    | Pub trst | E | Mortgage brokers,<br>lenders – knowingly<br>giving a false<br>statement                       | 15 |
| 2 | 445.2507(2) | Pub ord  | F | Violation of<br>unsolicited<br>commercial e-mail<br>protection act in<br>furtherance of crime | 4  |

3        Enacting section 1. This amendatory act does not take effect  
4 unless all of the following bills of the 95th Legislature are  
5 enacted into law:

6        (a) Senate Bill No. 223.

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8        (b) Senate Bill No. 225.

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10       (c) Senate Bill No. 224.

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