

SUBSTITUTE FOR
HOUSE BILL NO. 4525

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending sections 13m, 16c, 17d, and 17g of chapter XVII (MCL
777.13m, 777.16c, 777.17d, and 777.17g), section 13m as amended
by 2010 PA 355, section 16c as amended by 2012 PA 534, section
17d as amended by 2012 PA 456, and section 17g as amended by 2006
PA 541.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XVII

2 Sec. 13m. This chapter applies to the following felonies
3 enumerated in chapter 333 of the Michigan Compiled Laws:

4 M.C.L.	Category	Class	Description	Stat Max
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1	333.7340	CS	F	Sale, distribution, or delivery of product containing ephedrine or pseudoephedrine by mail, internet, or telephone	4
2	333.7341(8)	CS	G	Delivery or manufacture of imitation controlled substance	2
3	333.7401(2)(a)(i)	CS	A	Delivery or manufacture of 1,000 or more grams of certain schedule 1 or 2 controlled substances	Life
4	333.7401(2)(a)(ii)	CS	A	Delivery or manufacture of 450 or more but less than 1,000 grams of certain schedule 1 or 2 controlled substances	30
5	333.7401(2)(a)(iii)	CS	B	Delivery or manufacture of 50 or more but less than 450 grams of certain schedule 1 or 2 controlled substances	20
6	333.7401(2)(a)(iv)	CS	D	Delivery or manufacture of less than 50 grams of certain schedule 1 or 2 controlled substances	20
7	333.7401(2)(b)(i)	CS	B	Delivery or manufacture of methamphetamine or 3, 4- methylenedioxymethamp hetamine	20

1	333.7401(2)(b)(ii)	CS	E	Delivery or manufacture of certain schedule 1, 2, or 3 controlled substances	7
2	333.7401(2)(c)	CS	F	Delivery or manufacture of schedule 4 controlled substance	4
3	333.7401(2)(d)(i)	CS	C	Delivery or manufacture of 45 or more kilograms of marijuana	15
4	333.7401(2)(d)(ii)	CS	D	Delivery or manufacture of 5 or more but less than 45 kilograms of marijuana	7
5	333.7401(2)(d)(iii)	CS	F	Delivery or manufacture of less than 5 kilograms or 20 plants of marijuana	4
6	333.7401(2)(e)	CS	G	Delivery or manufacture of schedule 5 controlled substance	2
7	333.7401(2)(f)	CS	D	Delivery or manufacture of a prescription form or counterfeit prescription form	7
8	333.7401a	Person	B	Delivering a controlled substance or GBL with intent to commit criminal sexual conduct	20
9	333.7401b(3)(a)	CS	E	Delivery or manufacture of GBL	7

1	333.7401b(3)(b)	CS	G	Possession of GBL	2
2	333.7401c(2)(a)	CS	D	Operating or maintaining controlled substance laboratory	10
3	333.7401c(2)(b)	CS	B	Operating or maintaining controlled substance laboratory in presence of minor	20
4	333.7401c(2)(c)	CS	B	Operating or maintaining controlled substance laboratory involving hazardous waste	20
5	333.7401c(2)(d)	CS	B	Operating or maintaining controlled substance laboratory near certain places	20
6	333.7401c(2)(e)	CS	A	Operating or maintaining controlled substance laboratory involving firearm or other harmful device	25
7	333.7401c(2)(f)	CS	B	Operating or maintaining controlled substance laboratory involving methamphetamine	20
8	333.7402(2)(a)	CS	D	Delivery or manufacture of certain counterfeit controlled substances	10
9	333.7402(2)(b)	CS	E	Delivery or manufacture of schedule 1, 2, or 3 counterfeit controlled substance	5

1	333.7402 (2) (c)	CS	F	Delivery or manufacture of counterfeit schedule 4 controlled substance	4
2	333.7402 (2) (d)	CS	G	Delivery or manufacture of counterfeit schedule 5 controlled substance	2
3	333.7402 (2) (e)	CS	C	Delivery or manufacture of controlled substance analogue	15
4	333.7403 (2) (a) (i)	CS	A	Possession of 1,000 or more grams of certain schedule 1 or 2 controlled substances	Life
5	333.7403 (2) (a) (ii)	CS	A	Possession of 450 or more but less than 1,000 grams of certain schedule 1 or 2 controlled substances	30
6	333.7403 (2) (a) (iii)	CS	B	Possession of 50 or more but less than 450 grams of certain schedule 1 or 2 controlled substances	20
7	333.7403 (2) (a) (iv)	CS	G	Possession of 25 or more but less than 50 grams of certain schedule 1 or 2 controlled substances	4
8	333.7403 (2) (a) (v)	CS	G	Possession of less than 25 grams of certain schedule 1 or 2 controlled substances	4

1	333.7403 (2) (b) (i)	CS	D	Possession of methamphetamine or 3, 4- methylenedioxymethamp hetamine	10
2	333.7403 (2) (b) (ii)	CS	G	Possession of certain schedule 1, 2, 3, or 4 controlled substances or controlled substances analogue	2
3	333.7403a	CS	F	Fraudulently obtaining controlled substance or prescription for controlled substance	4
4	333.7405 (1) (a)	CS	G	Controlled substance violations by licensee	2
5	333.7405 (1) (b)	CS	G	Manufacturing or distribution violations by licensee	2
6	333.7405 (1) (c)	CS	G	Refusing lawful inspection	2
7	333.7405 (1) (d)	CS	G	Maintaining drug house	2
8	333.7405 (1) (e)	CS	G	Unlawfully dispensing out-of-state prescription	2
9	333.7407 (1) (a)	CS	G	Controlled substance violations by licensee	4
10	333.7407 (1) (b)	CS	G	Use of fictitious, revoked, or suspended license number	4

1	333.7407(1)(c)	CS	G	Obtaining controlled substance by fraud	4
2	333.7407(1)(d)	CS	G	False reports under controlled substance article	4
3	333.7407(1)(e)	CS	G	Possession of counterfeiting implements	4
4	333.7407(1)(f)	CS	F	Disclosing or obtaining prescription information	4
5	333.7407(1)(g)	CS	F	Possession of counterfeit prescription form	4
6	333.7407(2)	CS	G	Refusing to furnish records under controlled substance article	4
7	333.7410a	CS	G	Controlled substance offense or offense involving GBL in or near a park	2
8	333.7417	CS	F	SELL OR OFFER TO SELL NAMED PRODUCT PRODUCING SAME OR SIMILAR EFFECT AS SCHEDULED INGREDIENT	4

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

11	M.C.L.	Category	Class	Description	Stat Max
12	750.72	Person	BA	First degree arson	Life

1	750.73	Property PERSON	DB	Second degree arson	20
2	750.74	Person PROPERTY	ED	Third degree arson	10
3	750.75	Property	DE	Arson of insured property FOURTH DEGREE ARSON	10 15
4	750.76 (3) (a)	Property PERSON	A	Arson of insured dwelling	Life
5	750.76 (3) (b)	Property	B	Arson of insured building or structure	20
6	750.76 (3) (c)	Property	D	Arson of insured personal property	10
7	750.79 (1) (c)	Property	E	Placing incendiary or explosive with intent to commit arson of \$1,000 or more but less than \$20,000, or with prior conviction	5
8	750.79 (1) (d)	Property	D	Placing incendiary or explosive with intent to commit arson of \$20,000, or more, or with 2 or more prior convictions, or with intent to commit insurance fraud, or causing injury	10
9	750.79 (1) (e)	Property	C	Placing incendiary or explosive with intent to commit arson of dwelling or to commit insurance fraud, or causing injury	15
10	750.80	Property	D	Arson of mines	Life

1 Sec. 17d. This chapter applies to the following felonies
 2 enumerated in chapter 752 of the Michigan Compiled Laws:

3	M.C.L.	Category	Class	Description	Stat Max
4	752.802	Property	H	Manufacture or sale of slugs for use in vending machines	5
5	752.811	Property	H	Breaking and entering a coin operated device	3
6	752.861	Person	G	Careless discharge of firearm causing injury or death	2
7	752.881	Person	G	Reckless use of bow and arrow resulting in injury or death	2
8	752.1003	Property	F	False claim, statement, or representation to obtain health care benefits	4
9	752.1004	Property	F	Soliciting, paying, or receiving kickback or receiving referral fee for health care payment	4
10	752.1005	Property	H	Conspiring to commit health care fraud	10
11	752.1006	Property	D	Health care fraud – subsequent offense	20
12	752.1054 (2)	Property	G	Copying audio or video recordings for gain	5
13	752.1084	Property	GE	Organized retail crime act violation	5

1 Sec. 17g. This chapter applies to the following felonies
 2 enumerated in chapters 800 to 830 of the Michigan Compiled Laws:

3	M.C.L.	Category	Class	Description	Stat Max
4	800.281(1)	Pub saf	H	Furnishing prisoner with contraband	5
5	800.281(2)	Pub saf	H	Furnishing prisoner with contraband outside	5
6	800.281(3)	Pub saf	H	Bringing contraband into prisons	5
7	800.281(4)	Pub saf	E	Prisoner possessing contraband	5
8	800.283(1)	Pub saf	E	Furnishing weapon to prisoner in prison	5
9	800.283(2)	Pub saf	E	Prisons – knowledge of a weapon in a correctional facility	5
10	800.283(3)	Pub saf	E	Bringing weapon into prison	5
11	800.283(4)	Pub saf	E	Prisoner possessing weapon	5
12	800.283a	Pub saf	E	Furnishing cell phone to prisoner	5
13	801.262(1)(a)	Pub saf	E	Bringing weapon into jail	5
14	801.262(1)(b)	Pub saf	E	Furnishing weapon to prisoner in jail	5
15	801.262(2)	Pub saf	E	Prisoner in jail possessing weapon	5

1	801.262A	PUB SAF	E	FURNISHING CELL PHONE OR OTHER WIRELESS DEVICE TO PRISONER IN JAIL	5
2	801.263(1)	Pub saf	H	Furnishing contraband to prisoner in jail	5
3	801.263(2)	Pub saf	H	Prisoner in jail possessing contraband	5