

SUBSTITUTE FOR  
HOUSE BILL NO. 5728

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 2012 PA 187.

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 - second offense	10
7		Pub ord	C	Identify theft - third or subsequent offense	15

1	445.67	Pub ord	E	Solicit, obtain, possess, sell, or transfer personal identifying information of another or falsify a police report with intent to commit identity theft	5
2		Pub ord	D	Obtain, possess, sell, or transfer personal identifying information of another or falsify a police report with intent to commit identity theft - second offense	10
3		Pub ord	C	Obtain, possess, sell, or transfer personal identifying information of another or falsify a police report with intent to commit identity theft - third or subsequent offense	15
4	445.408 (2)	Pub ord	E	Buying or selling stolen scrap metal	5
5	445.408 (3)	Pub ord	E	Buying or selling stolen scrap metal - subsequent offense	5
6	445.433 (2)	Pub ord	E	Knowingly buying or selling stolen nonferrous metal articles	5
7	445.487 (2)	Pub ord	H	Precious metal and gem dealer failure to record material matter - subsequent offense	2
8	445.488 (2)	Pub ord	H	Precious metal and gem dealer violations - subsequent offense	2
9	445.489	Pub ord	H	Precious metal and gem dealer failing to record transaction or falsifying transaction record, or making improper purchase	2

1	445.490	Pub ord	H	Precious metal and gem dealer failure to obtain a certificate of registration	2
2	445.574a(2)(d)	Pub ord	H	Improper return of 10,000 or more nonrefundable containers	5
3	445.574a(3)(d)	Pub ord	H	Improper acceptance or delivery of 10,000 or more nonrefundable containers by dealer	5
4	445.574a(4)(d)	Pub ord	H	Improper acceptance or delivery of 10,000 or more nonrefundable containers by distributor	5
5	445.667	Pub ord	G	Changing, altering, or modifying reverse vending machine or data for reverse vending machine	2
6	445.779	Pub ord	H	Antitrust violation	2
7	445.1505	Pub trst	G	Fraudulent filing, offer, or sale of franchise	7
8	445.1508	Pub trst	G	Sale of franchise without proper disclosure	7
9	445.1513	Pub trst	G	Illegal offer or sale of franchise	7
10	445.1520	Pub trst	G	Failure to keep or maintain record of sale of franchise	7
11	445.1521	Pub trst	G	False representation of departmental finding, recommendation, or approval of franchise document	7
12	445.1523	Pub trst	G	False statement of material fact to department of attorney general regarding franchise	7

1	445.1525	Pub trst	G	False advertising of franchise	7
2	<del>445.1528</del>	<del>Pub trst</del>	<del>D</del>	<del>Offer or sale of franchise through pyramid or chain promotion</del>	<del>7</del>
3	445.1671	Pub trst	E	False statement in report required by mortgage broker or lender	15
4	445.2081	Pub ord	E	Purchasing or selling stolen plastic bulk merchandise containers	5
5	445.2507(2)	Pub ord	F	Violation of unsolicited commercial e-mail protection act in furtherance of crime	4
6	445.2583	<b>PUB TRST</b>	<b>F</b>	<b>ESTABLISH, PROMOTE, OR OPERATE A PYRAMID PROMOTIONAL SCHEME</b>	<b>7</b>

7 Enacting section 1. This amendatory act takes effect 90 days  
8 after the date it is enacted into law.

9 Enacting section 2. This amendatory act does not take effect  
10 unless House Bill No. 5726 of the 99th Legislature is enacted  
11 into law.