

# HOUSE BILL No. 5370

December 13, 2017, Introduced by Reps. Chang, Wittenberg, Hoadley, Rabhi, Pagan, Gay-Dagnogo, Hammoud, Lasinski, LaGrand, Ellison, Moss, Byrd and Garrett and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending sections 11b and 16m of chapter XVII (MCL 777.11b and 777.16m), section 11b as amended by 2016 PA 234 and section 16m as amended by 2014 PA 192.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

### 1 CHAPTER XVII

2 Sec. 11b. This chapter applies to the following felonies  
3 enumerated in chapter 28 of the Michigan Compiled Laws:

4	M.C.L.	Category	Class	Description	Stat Max
5	28.214 (6) (b)	Pub trst	F	Unauthorized disclosure of information from LEIN – subsequent offense	4

1	28.293(1)	Pub ord	E	False information when applying for state ID	5
2	28.293(2)	Pub ord	D	False information when applying for state ID – second offense	7
3	28.293(3)	Pub ord	C	False information when applying for state ID – third or subsequent offense	15
4	28.295(1) (a)	Pub ord	D	Counterfeiting or forging state ID card or using counterfeited or forged state ID card to commit felony punishable by imprisonment for 10 years or more	10
5	28.295(1) (b)	Pub ord	E	Counterfeiting or forging state ID card or using counterfeited or forged state ID card to commit felony punishable by imprisonment for less than 10 years or a misdemeanor punishable by more than 6 months	5
6	28.295(2)	Pub ord	E	Selling counterfeited or forged state ID card or possessing counterfeited or forged state ID card with intent to deliver to another person or possessing 2 or more counterfeited or forged state ID cards	5
7	28.295(5)	Property	H	Using stolen state ID card to commit felony	Variable
8	28.295a(1)	Pub ord	H	False representation to obtain or misuse personal information	4

1	28.295a(2)	Pub ord	G	False representation to obtain or misuse personal information – second offense	7
2	28.295a(3)	Pub ord	C	False representation to obtain or misuse personal information – third or subsequent offense	15
3	28.308	Pub saf	E	False certification or statement in application for enhanced driver license or enhanced official state personal identification card	5
4	28.422(14)	Pub saf	F	Forgery on <del>pistol</del> <b>FIREARM</b> license application	4
5	28.422a(5)	Pub saf	F	False statement on <del>pistol</del> <b>FIREARM</b> sales record	4
6	28.425b(3)	Pub saf	F	False statement on concealed pistol permit application	4
7	28.425j(3)	Pub saf	F	Unlawful granting or presenting of pistol training certificate	4
8	28.425o(6)(c)	Pub saf	F	Carrying concealed pistol or electro-muscular disruption device in prohibited place – third or subsequent offense	4
9	28.435(14)(c)	Pub saf	G	Firearm sale without trigger lock, gun case, or storage container – third or subsequent offense	2
10	28.454(1)	Pub saf	G	Consumer fireworks certificate violation	2
11	28.468(1)(c)	Pub saf	E	Michigan fireworks safety act violation causing serious impairment	5

1	28.468(1) (d)	Pub saf	C	Michigan fireworks safety act violation causing death	15
2	28.516(2)	Pub saf	F	False statement on concealed firearm certificate application	4
3	28.674	Pub saf	F	False report of a public threat	4
4	28.729(1) (a)	Pub ord	F	Failure to register as a sex offender, first offense	4
5	28.729(1) (b)	Pub ord	D	Failure to register as a sex offender, second offense	7
6	28.729(1) (c)	Pub ord	D	Failure to register as a sex offender, third or subsequent offense	10
7	28.729(2)	Pub ord	F	Failure to update sex offender registration information	2
8	28.734(2) (b)	Pub trst	G	Student safety zone violation involving work or loitering – subsequent offense	2
9	28.735(2) (b)	Pub trst	G	Student safety zone violation involving residency – subsequent offense	2
10	28.754(1)	Pub ord	F	False report of a child abduction	4

11        Sec. 16m. This chapter applies to the following felonies  
 12 enumerated in chapter 750 of the Michigan Compiled Laws:

13	M.C.L.	Category	Class	Description	Stat Max
14	750.223(2)	Pub saf	F	Sale of firearm to minor – subsequent offense	4
15	750.223(3)	Pub ord	D	Sale of firearm to person prohibited from possessing	10

<b>1</b>	750.224	Pub saf	E	Manufacture or sale of silencer, bomb, blackjack, automatic weapon, gas spray, etc.	5
<b>2</b>	750.224a(4)	Pub saf	F	Possession or sale of electrical current weapons	4
<b>3</b>	750.224a(6)	Pub saf	G	Improper use of electro-muscular disruption device	2
<b>4</b>	750.224b	Pub saf	E	Possession of short barreled shotgun or rifle	5
<b>5</b>	750.224c	Pub saf	F	Armor piercing ammunition	4
<b>6</b>	750.224d(2)	Person	G	Using self-defense spray device	2
<b>7</b>	750.224e	Pub saf	F	Manufacture/sale/possession of devices to convert semiautomatic weapons	4
<b>8</b>	750.224f(5)	Pub saf	E	Possession or sale of firearm by felon	5
<b>9</b>	750.224f(6)	Pub saf	E	Possession or sale of ammunition by felon	5
<b>10</b>	750.226	Pub saf	E	Carrying firearm or dangerous weapon with unlawful intent	5
<b>11</b>	750.227	Pub saf	E	Carrying a concealed weapon	5
<b>12</b>	750.227a	Pub saf	F	Unlawful possession of pistol	4
<b>13</b>	750.227c	Pub saf	G	Possessing a loaded firearm in or upon a vehicle	2
<b>14</b>	750.227f	Pub saf	F	Wearing body armor during commission of certain crimes	4
<b>15</b>	750.227g(1)	Pub saf	F	Felon purchasing, owning, possessing, or using body armor	4

1	750.230	Pub saf	G	Altering ID mark on firearm	2
2	750.232a(3)	Pub saf	G	False statement in a <del>pistol</del> <b>FIREARM</b> application	4
3	750.234a(1)(a)	Pub saf	D	Discharging firearm from vehicle	10
4	750.234a(1)(b)	Person	C	Discharging firearm from vehicle causing physical injury	15
5	750.234a(1)(c)	Person	B	Discharging firearm from vehicle causing serious impairment	20
6	750.234a(1)(d)	Person	A	Discharging firearm from vehicle causing death	Life
7	750.234b(1)	Pub saf	D	Discharging firearm at a dwelling or potentially occupied structure	10
8	750.234b(2)	Pub saf	D	Discharging firearm in a dwelling or potentially occupied structure	10
9	750.234b(3)	Pub saf	C	Discharging firearm in or at a dwelling or potentially occupied structure causing physical injury	15
10	750.234b(4)	Person	B	Discharging firearm in or at a dwelling or potentially occupied structure causing serious impairment	20
11	750.234b(5)	Person	A	Discharging firearm in or at a dwelling or potentially occupied structure causing death	Life
12	750.234c	Pub saf	F	Discharging firearm at emergency/police vehicle	4

<b>1</b>	750.236	Person	C	Setting spring gun – death resulting	15
<b>2</b>	750.237(3)	Person	E	Using firearm while under the influence or impaired causing serious impairment	5
<b>3</b>	750.237(4)	Person	C	Using firearm while under the influence or impaired causing death	15

**4** Enacting section 1. This amendatory act does not take effect  
**5** unless Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request no.  
**6** 00443'17) of the 99th Legislature is enacted into law.