HOUSE BILL NO. 4106

January 29, 2019, Introduced by Reps. Wittenberg, Farrington, Berman, Guerra, Marino and LaFave and referred to the Committee on Financial Services.

A bill to amend 1931 PA 328, entitled

"The Michigan penal code,"

by amending section 248 (MCL 750.248), as amended by 2011 PA 206.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1   Sec. 248. (1) A person who falsely makes, alters, forges, or

2   counterfeits a public record, or a certificate, return, or

3   attestation of a clerk of a court, register of deeds, notary

4   public, township clerk, or any other public officer, in relation to

5   a matter in which the certificate, return, or attestation may be

6   received as legal proof, or a charter, will, testament, bond,

ELF   01258'19

1 writing obligatory, letter of attorney, policy of insurance, bill

2 of lading, bill of exchange, promissory note, or an order,

3 acquittance of discharge for money or other property, or a waiver,

4 release, claim or demand, or an acceptance of a bill of exchange,

5 or indorsement, or assignment of a bill of exchange or promissory

6 note for the payment of money, or an accountable receipt for money,

7 goods, or other property with intent to injure or defraud another

8 person is guilty of a felony punishable by imprisonment for not

9 more than 14 years.

10 (2) This section does not apply to a scrivener's error.

11 **(3) This section applies to a person that accomplishes a**

12 **violation of subsection (1) by altering a record made utilizing**

13 **distributed ledger technology.**

14 **(4)** ~~(3)~~ The venue in a prosecution under this section may be

15 in the county in which the forgery was performed; in a county in

16 which a false, forged, altered, or counterfeit record, instrument,

17 or other writing is uttered and published with intent to injure or

18 defraud; or in the county in which the rightful property owner

19 resides.

20 **(5) As used in this section, "distributed ledger technology"**

21 **means any distributed ledger protocol and supporting**

22 **infrastructure, including blockchain, that uses a distributed,**

23 **decentralized, shared, and replicated ledger, whether use of the**

24 **ledger is public or private, permissioned or permissionless, and**

25 **that may include the use of electronic currencies or electronic**

26 **tokens as a medium of electronic exchange.**

27 Enacting section 1. This amendatory act takes effect 90 days

28 after the date it is enacted into law.