## **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,





- 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.
  - (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.

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- 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.