

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4782

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 2019 PA 49.

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 | 445.33(2)(b) | Pub ord | E | Mail theft - second or | 5 |
| 6 | | | | subsequent offense | |
| 7 | 445.65 | Pub ord | E | Identity theft | 5 |

| | | | | | |
|----|--------|---------|---|------------------------|----|
| 1 | | Pub ord | D | Identity theft - | 10 |
| 2 | | | | second offense | |
| 3 | | Pub ord | C | Identify theft - third | 15 |
| 4 | | | | or subsequent offense | |
| 5 | 445.67 | Pub ord | E | Solicit, obtain, | 5 |
| 6 | | | | possess, sell, or | |
| 7 | | | | transfer personal | |
| 8 | | | | identifying | |
| 9 | | | | information of another | |
| 10 | | | | or falsify a police | |
| 11 | | | | report with intent to | |
| 12 | | | | commit identity theft | |
| 13 | | Pub ord | D | Obtain, possess, sell, | 10 |
| 14 | | | | or transfer personal | |
| 15 | | | | identifying | |
| 16 | | | | information of another | |
| 17 | | | | or falsify a police | |
| 18 | | | | report with intent to | |
| 19 | | | | commit identity theft | |
| 20 | | | | - second offense | |
| 21 | | Pub ord | C | Obtain, possess, sell, | 15 |
| 22 | | | | or transfer personal | |
| 23 | | | | identifying | |
| 24 | | | | information of another | |
| 25 | | | | or falsify a police | |
| 26 | | | | report with intent to | |
| 27 | | | | commit identity theft | |
| 28 | | | | - third or subsequent | |
| 29 | | | | offense | |

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|----|------------|---------|---|--|---|
| 1 | 445.408(2) | Pub ord | E | Buying or selling | 5 |
| 2 | | | | stolen scrap metal | |
| 3 | 445.408(3) | Pub ord | E | Buying or selling | 5 |
| 4 | | | | stolen scrap metal - | |
| 5 | | | | subsequent offense | |
| 6 | 445.433(2) | Pub ord | E | Knowingly buying or | 5 |
| 7 | | | | selling stolen | |
| 8 | | | | nonferrous scrap metal | |
| 9 | | | | articles or other | |
| 10 | | | | specific items | |
| 11 | 445.487(2) | Pub ord | H | Precious metal and gem | 2 |
| 12 | | | | dealer failure to | |
| 13 | | | | record material matter | |
| 14 | | | | - subsequent offense | |
| 15 | 445.488(2) | Pub ord | H | Precious metal and gem | 2 |
| 16 | | | | dealer violations - | |
| 17 | | | | subsequent offense | |
| 18 | 445.489 | Pub ord | H | Precious metal and gem | 2 |
| 19 | | | | dealer failing to | |
| 20 | | | | record transaction or | |
| 21 | | | | falsifying transaction | |
| 22 | | | | record, or making | |
| 23 | | | | improper purchase | |
| 24 | 445.490 | Pub ord | H | Precious metal and gem | 2 |
| 25 | | | | dealer failure to | |
| 26 | | | | obtain a certificate | |
| 27 | | | | of registration or | |
| 28 | | | | retain precious item | |
| 29 | | | | for required period | |

| | | | | | |
|----|-----------------|---------|---|-------------------------|----|
| 1 | 445.574 (2) (c) | Pub ord | E | Failure to originate | 5 |
| 2 | | | | and maintain record of | |
| 3 | | | | deposits on certain | |
| 4 | | | | containers valued at | |
| 5 | | | | \$10,000.00 or more but | |
| 6 | | | | less than \$20,000.00 | |
| 7 | | | | with intent to defraud | |
| 8 | | | | or cheat, or repeat | |
| 9 | | | | offense. | |
| 10 | 445.574 (2) (d) | Pub ord | C | Failure to originate | 15 |
| 11 | | | | and maintain record of | |
| 12 | | | | deposits on certain | |
| 13 | | | | containers valued at | |
| 14 | | | | \$20,000.00 or more but | |
| 15 | | | | less than \$50,000.00 | |
| 16 | | | | with intent to defraud | |
| 17 | | | | or cheat, or repeat | |
| 18 | | | | offense. | |
| 19 | 445.574 (2) (e) | Pub ord | C | Failure to originate | 15 |
| 20 | | | | and maintain record of | |
| 21 | | | | deposits on certain | |
| 22 | | | | containers valued at | |
| 23 | | | | \$50,000.00 or more but | |
| 24 | | | | less than \$100,000.00 | |
| 25 | | | | with intent to defraud | |
| 26 | | | | or cheat, or repeat | |
| 27 | | | | offense. | |

| | | | | | |
|----|------------------|---------|---|------------------------|----|
| 1 | 445.574 (2) (f) | Pub ord | B | Failure to originate | 20 |
| 2 | | | | and maintain record of | |
| 3 | | | | deposits on certain | |
| 4 | | | | containers valued at | |
| 5 | | | | \$100,000.00 or more | |
| 6 | | | | with intent to defraud | |
| 7 | | | | or cheat, or repeat | |
| 8 | | | | offense. | |
| 9 | 445.574a (2) (d) | Pub ord | H | Improper return of | 5 |
| 10 | | | | 10,000 or more | |
| 11 | | | | nonrefundable | |
| 12 | | | | containers | |
| 13 | 445.574a (3) (d) | Pub ord | H | Improper acceptance or | 5 |
| 14 | | | | delivery of 10,000 or | |
| 15 | | | | more nonrefundable | |
| 16 | | | | containers by dealer | |
| 17 | 445.574a (4) (d) | Pub ord | H | Improper acceptance or | 5 |
| 18 | | | | delivery of 10,000 or | |
| 19 | | | | more nonrefundable | |
| 20 | | | | containers by | |
| 21 | | | | distributor | |
| 22 | 445.667 | Pub ord | G | Changing, altering, or | 2 |
| 23 | | | | modifying reverse | |
| 24 | | | | vending machine or | |
| 25 | | | | data for reverse | |
| 26 | | | | vending machine | |
| 27 | 445.779 | Pub ord | H | Antitrust violation | 2 |

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|----|----------|----------|---|------------------------|----|
| 1 | 445.1505 | Pub trst | G | Fraudulent filing, | 7 |
| 2 | | | | offer, or sale of | |
| 3 | | | | franchise | |
| 4 | 445.1508 | Pub trst | G | Sale of franchise | 7 |
| 5 | | | | without proper | |
| 6 | | | | disclosure | |
| 7 | 445.1513 | Pub trst | G | Illegal offer or sale | 7 |
| 8 | | | | of franchise | |
| 9 | 445.1520 | Pub trst | G | Failure to keep or | 7 |
| 10 | | | | maintain record of | |
| 11 | | | | sale of franchise | |
| 12 | 445.1521 | Pub trst | G | False representation | 7 |
| 13 | | | | of departmental | |
| 14 | | | | finding, | |
| 15 | | | | recommendation, or | |
| 16 | | | | approval of franchise | |
| 17 | | | | document | |
| 18 | 445.1523 | Pub trst | G | False statement of | 7 |
| 19 | | | | material fact to | |
| 20 | | | | department of attorney | |
| 21 | | | | general regarding | |
| 22 | | | | franchise | |
| 23 | 445.1525 | Pub trst | G | False advertising of | 7 |
| 24 | | | | franchise | |
| 25 | 445.1671 | Pub trst | E | False statement in | 15 |
| 26 | | | | report required by | |
| 27 | | | | mortgage broker or | |
| 28 | | | | lender | |

| | | | | | |
|----|-------------|----------|---|------------------------|---|
| 1 | 445.2081 | Pub ord | E | Purchasing or selling | 5 |
| 2 | | | | stolen plastic bulk | |
| 3 | | | | merchandise containers | |
| 4 | 445.2507(2) | Pub ord | F | Violation of | 4 |
| 5 | | | | unsolicited commercial | |
| 6 | | | | e-mail protection act | |
| 7 | | | | in furtherance of | |
| 8 | | | | crime | |
| 9 | 445.2583 | Pub trst | F | Establish, promote, or | 7 |
| 10 | | | | operate a pyramid | |
| 11 | | | | promotional scheme | |

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

14 Enacting section 2. This amendatory act does not take effect
 15 unless House Bill No. 4783 of the 101st Legislature is enacted into
 16 law.