[No. 459]

(HB 6015)

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2000 PA 279.

The People of the State of Michigan enact:

CHAPTER XVII

777.12 Chapters 200 to 299 of Michigan Compiled Laws; felonies to which chapter applicable. [M.S.A. 28.1274(22)]

Sec. 12. This chapter applies to the following felonies enumerated in chapters 200 to 299 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
205.27(1)(a)	Pub trst	G	Failure to file or false tax return or payment	5
205.27(1)(b)	Pub trst	G	Aiding and abetting tax evasion or filing false returns	5
205.27(1)(c)	Pub trst	G	Making/permitting false tax returns or payments	5
205.27(3)	Pub trst	G	False tax returns/perjury	15
205.28(1)(e)	Pub trst	G	State employee compromising taxes	5
205.28(1)(f)	Pub trst	G	Unauthorized disclosure of tax information	5
205.428(2)	Pub trst	G	Tobacco products tax act violations	5

205.428(3)	Pub trst	G	Illegal sale of cigarettes or other tobacco products with whole-	_
205.428(6)	Pub trst	F	sale price of \$250.00 or more Illegal tobacco stamp or tobacco	5
205.428(7)	Pub trst	G	stamp device Illegal vending machine license,	10
207.118a	Pub ord	G	disk, or marker Gasoline tax—embezzlement	5
207.119	Pub trst	G	over \$100 Gasoline or motor fuel tax	10
207.127c	Pub ord	G	violation Diesel fuel tax—embezzlement	4
207.754(3)	Pub trst	G	over \$100 State treasurer—municipality	10
(-,		-	tax—divulging confidential information	5
252,311	Property	Н	Destroying a tree or shrub to	0
			make a sign more visible	2
257.233a(7)	Pub ord	G	Odometer tampering	5
257.254	Property	E	Possessing stolen vehicle title	10
257.257(1)	Property	G	Altering or forging vehicle	_
057 057(0)	D	C	documents—first offense	5
257.257(2)	Property	G	Altering or forging vehicle documents—second offense	7
257.257(3)	Property	E	Altering or forging vehicle	•
201.201(0)	Troperty	15	documents—third or	
			subsequent offense	15
257.309(6)	Pub ord	\mathbf{F}	Corrupting an examining	10
			officer	5
257.309(7)	Pub ord	\mathbf{F}	Deviating from road test	
			criteria	5
257.309(8)	Pub ord	\mathbf{F}	Forging, counterfeiting, or	
			altering road test certifi-	
			cation	5
257.312b(6)	Pub ord	\mathbf{F}	Corrupting a person or	
			agency conducting a	-
057 210k (7)	Pub ord	F	motorcycle driving test	5
257.312b(7)	Pub ora	Г	Deviating from motorcycle road test criteria	5
257.312b(8)	Pub ord	F	Forging, counterfeiting, or	J
201.0120(0)	1 db ofd	r	altering motorcycle road	
			test certification	5
257.329(1)	Property	G	Possession/sale of stolen or	
` '	1 0		counterfeit insurance cer-	
			tificates	5
257.329(2)	Property	\mathbf{E}	Possession/sale of stolen or	
			counterfeit insurance cer-	
	_	_	tificates—second offense	7
257.329(3)	Property	\mathbf{E}	Possession/sale of stolen or	
			counterfeit insurance cer-	
			tificates—third or subse-	15
			quent offense	15

257.602a(2)	Pub saf	G	Fleeing and eluding—fourth	2
257.602a(3)	Pub saf	E	degree Fleeing and eluding—third	_
257.602a(4)	Person	D	degree Fleeing and eluding—second	5
` '			degree	10
257.602a(5)	Person	С	Fleeing and eluding—first degree	15
257.617	Person	E	Failure to stop at scene of a serious personal injury accident	5
257.625(4)(a)	Person	\mathbf{C}	Operating a vehicle under the	9
			influence or while impaired causing death	15
257.625(4)(b)	Person	В	Operating a vehicle under the	
			influence or while impaired causing death to emergency	
957 695(5)	Person	E	personnel Operating a vehicle under the	20
257.625(5)	rerson	E	influence or while	
			impaired causing serious	5
257.625(7)(a)(ii)	Person	E	impairment Operating a vehicle under the	9
			influence or while impaired	
			with a minor in the vehicle— subsequent offense	5
257.625(8)(c)	Pub saf	\mathbf{E}	Operating a vehicle under the	9
			influence—third or subse-	_
257.625(9)(b)	Person	E	quent offense Allowing a vehicle to be	5
291.029(9)(D)	1 erson	ы	operated while under the	
			influence or impaired	
0FF (0F(0)/-)	D	C	causing death	5
257.625(9)(c)	Person	G	Allowing a vehicle to be operated while under the	
			influence or impaired	
255 225(12)(1)	5.1.4	_	causing serious impairment	2
257.625(10)(c)	Pub saf	E	Impaired driving—third or subsequent offense	5
257.625k(7)	Pub saf	D	Knowingly providing false	9
			information concerning	
257.625k(9)	Pub saf	D	an ignition interlock device Failure to report that an	10
201.020K(9)	I ub sai	D	ignition interlock device	
			does not meet legal	
OFF COF (F)	D 1 C	T-1	requirements	10
257.625m(5)	Pub saf	E	Commercial drunk driving— third or subsequent offense	5
257.653a(3)	Person	G	Failure to use due care and	9
			caution causing injury to	0
257.653a(4)	Person	C	emergency personnel Failure to use due care and	2
201.000a(±)	1 CI DUII	C	caution causing death to	
			emergency personnel	15

257.744a	Pub saf	D	False statement in citation—	
257.902	Pub saf	Е	perjury Motor vehicle code violations	15 5
257.902 257.903(1)	Property	E	Motor vehicle code—false	9
201.905(1)	Troperty	ы	certification—first offense	5
257.903(2)	Property	Е	Motor vehicle code—false	0
201.000(2)	roperty		certification—second offense	7
257.903(3)	Property	D	Motor vehicle code—false	
, ,	1 0		certification—third or sub-	
			sequent offense	15
257.904(4)	Person	\mathbf{C}	Operating a vehicle without a	
			license causing death	15
257.904(5)	Person	\mathbf{E}	Operating a vehicle without a	
			license causing serious	_
	•	~	impairment	5
257.904(7)	Person	G	Allowing a vehicle to be	
			operated without a license	0
	Person	Е	causing serious impairment	2
	rerson	Ŀ	Allowing a vehicle to be operated without a license	
			causing death	5
257.1353(2)	Pub trst	Н	Motor vehicle—fail to record	0
201.1000(2)	I do cibe		material matter—subse-	
			quent offense	2
257.1354(2)	Pub trst	Н	Motor vehicle—general	
			violations—subsequent	
			offense	2
257.1355	Pub trst	Η	Motor vehicle—fail to record	
			transaction/falsify records	2
259.183	Property	\mathbf{E}	Aircraft—unlawful taking or	
250 105(1)	.	a	tampering	5
259.185(4)	Person	С	Operating or serving as crew	
			of aircraft while under	15
259.185(5)	Person	Е	the influence causing death Operating or serving as crew	15
209.100(0)	1 erson	ы	of aircraft while under	
			the influence causing serious	
			impairment	5
259.185(8)	Pub saf	\mathbf{E}	Operating or serving as crew	
. ,			of aircraft while under	
			the influence—third or	
			subsequent offense	5
285.82	Pub trst	Η	Grain dealers act violations	5
285.279	Pub trst	\mathbf{E}	Falsely obtaining money—	
			agricultural land	10
286.455(2)	Pub saf	\mathbf{G}	Agriculture—hazardous sub-	_
204.020(4)	D 1 / /	a	stance	5
286.929(4)	Pub trst	G	Organic products act violations	4
287.77(1)	Pub saf	Η	Agriculture—livestock condemnation	4
287.323(1)	Person	С	Dangerous animal causing	4
401.040(1)	1 618011	O	death	15
			acaum	10

287.323(2)	Person	G	Dangerous animal causing	
			serious injury	4
287.679	Pub ord	Η	Dead animals	1
287.744(1)	Pub ord	G	Animal industry act violations	5
287.855	Pub saf	G	Agriculture—contaminating	
			livestock/false statement/ violation of quarantine	5
287.967(5)	Pub ord	G	Cervidae producer violation	4
288.223	Pub saf	\mathbf{G}	Sale or labeling of oleomargarine	
			violations	3
288.257	Pub saf	G	Margarine violations	3
288,284	Pub trst	Η	Selling falsely branded cheese	2
289.5107(2)	Pub saf	\mathbf{F}	Adulterated, misbranded, or	
			falsely identified food	4
290.629(1)	Person	G	Weights and measures—	
			assaults enforcement officer	2
290.631(3)	Pub trst	\mathbf{G}	Weights and measures	5
290.650	Person	G	Motor fuels—assaulting/ obstructing director or	
			authorized representative	2
290.650b(3)	Pub trst	Η	Motor fuels violations	2

Conditional effective date.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 90th Legislature are enacted into law:

- (a) House Bill No. 4778.
- (b) House Bill No. 5549.
- (c) House Bill No. 6177.

Approved January 10, 2001.

Filed with Secretary of State January 10, 2001.

Compiler's note: The bills referred to in enacting section 1 were enacted into law as follows: House Bill No. 4778 was filed with the Secretary of State January 10, 2001, and became P.A. 2000, No. 456, Imd. Eff. Jan. 10, 2001.

House Bill No. 5549 was filed with the Secretary of State January 10, 2001, and became P.A. 2000, No. 458, Eff. Mar. 28, 2001. House Bill No. 6177 was filed with the Secretary of State January 10, 2001, and became P.A. 2000, No. 460, Eff. Mar. 28, 2001.