

# SENATE BILL No. 1186

March 29, 2000, Introduced by Senators SCHWARZ, YOUNG, JOHNSON, NORTH, GOSCHKA, ROGERS, JAYE, EMERSON, HAMMERSTROM, STILLE, SHUGARS, BYRUM and DE BEAUSSAERT and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13 of chapter XVII (MCL 777.13), as amended by 1999 PA 61.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 CHAPTER XVII  
 2 Sec. 13. This chapter applies to the following felonies  
 3 enumerated in chapters 300 to 399 of the Michigan Compiled Laws:

4 M.C.L.	Category	Class	Description	Stat	Max
5 324.1608	Person	G	Resisting and obstructing con-		
6			servation officer		2
7 324.2157(3)	Property	H	State owned property -- dam-		
8			ages of \$1,000 or more	180	days
9 324.3115(2)	Pub saf	H	Waste discharge violations --		
10			second offense		2

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1	324.5531(4)	Pub saf	H	Knowingly releasing pollutants	2
2	324.5531(5)	Pub saf	G	Knowingly releasing pollutants	
3				-- causing death or serious	
4				bodily injury	6
5	324.5531(6)	Pub saf	C	Knowingly releasing pollutants	
6				-- resulting in death or	
7				serious bodily injury	15
8	324.8905(2)	Pub saf	H	Infectious waste/pathological	
9				waste/sharps -- littering	
10				violation	2
11	324.8905(3)	Pub saf	G	Infectious waste/pathological	
12				waste/sharps -- littering	
13				violation -- second offense	5
14	324.11151(2)	Pub saf	H	Hazardous waste violations --	
15				second or subsequent offense	2
16	324.11151(3)	Pub saf	H	Hazardous waste violation --	
17				with disregard for human	
18				life	2
19	324.11151(3)	Pub saf	G	Hazardous waste violation --	
20				with extreme indifference	
21				for human life	5
22	324.12116(2)	Pub saf	H	Waste -- false statement or	
23				entry in a license	
24				application	2
25	324.20139(3)	Pub saf	H	Hazardous waste -- knowingly	
26				releases or causes the	
27				release	2
28	324.21324(1)	Pub saf	G	Underground storage tanks --	
29				false or misleading	
30				information	5
31	324.21548(1)	Pub trst	H	False statement, report,	
32				claim, bid, work invoice, or	
33				other request for payment	5
34	324.30316(3)	Pub saf	H	NREPA violation -- subsequent	
35				offense	2
36	324.31525	Person	G	NREPA -- imminent danger of	
37				death or serious injury --	
38				subsequent offense	2
39	324.33939(1)	Pub trst	H	NREPA violation for commercial	
40				purposes	2

1	324.40118(11)	Pub ord	G	Wildlife conservation --	
2				buying selling protected	
3				animals -- subsequent	
4				offense	4
5	324.51120(2)	Property	H	Removing forest products over	
6				\$2,500	3
7	324.51512	Pub saf	D	Willfully setting forest fires	10
8	324.61511	Pub trst	G	False affidavit under NREPA	5
9	324.61521(1)	Pub trst	G	Evading rule under NREPA	3
10	324.76107(4)	Pub trst	G	Recovering abandoned property	
11				in Great Lakes without	
12				permit	2
13	324.80130d(1)	Pub ord	H	False representation to obtain	
14				personal information	4
15	324.80130d(2)	Pub ord	G	False representation to obtain	
16				personal information --	
17				second offense	7
18	324.80130d(3)	Pub ord	C	False representation to obtain	
19				personal information --	
20				third or subsequent offense	15
21	324.80172	Person	G	Negligent crippling or homi-	
22				cide by vessel	2
23	324.80173	Person	G	Felonious operation of a	
24				vessel	2
25	324.80176(4)	Person	C	Operating a vessel under the	
26				influence causing death	15
27	324.80176(5)	Person	E	Operating a vessel under the	
28				influence causing long-term	
29				incapacitating injury	5
30	324.80177(1)(c)	Pub saf	E	Operating a vessel under the	
31				influence -- third or subse-	
32				quent offense	5
33	324.80319a(1)	Pub ord	H	False representation to obtain	
34				personal information	4
35	324.80319a(2)	Pub ord	G	False representation to obtain	
36				personal information --	
37				second offense	7

1	324.80319a(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
2					
3					
4	324.81120(1)	Pub ord	H	False representation to obtain personal information	4
5					
6	324.81120(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
7					
8					
9	324.81120(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
10					
11					
12	324.81134(6)	Pub saf	E	Operating an ORV under the influence -- third offense	4
13					
14	324.82127(4)	Person	C	Operating a snowmobile under the influence causing death	15
15					
16	324.82127(5)	Person	E	Operating a snowmobile under the influence causing long-term incapacitating injury	5
17					
18					
19					
20	324.82128(1)(c)	Pub saf	E	Operating a snowmobile under the influence -- third offense	5
21					
22					
23	324.82160(1)	Pub ord	H	False representation to obtain personal information	4
24					
25	324.82160(2)	Pub ord	G	False representation to obtain personal information -- second offense	7
26					
27					
28	324.82160(3)	Pub ord	C	False representation to obtain personal information -- third or subsequent offense	15
29					
30					
31	328.232	Property	E	Conversion of funeral contracts	5
32					
33	333.2685	Person	E	Use of a live human embryo, fetus for nontherapeutic research	5
34					
35					
36	333.2688	Person	E	Research on dead embryo or fetus without mother's consent	5
37					
38					
39	333.2689	Person	E	Abortion to obtain embryo	5

1 2	333.2690	Person	E	Sale or delivery of fetus or embryo	5
3 4	333.2835(9)	Pub trst	G	Disclosing confidential information -- abortion	3
5 6	333.5210	Person	F	AIDS -- sexual penetration with uninformed partner	4
7 8	333.5661	Person	F	Fraud resulting in patient death	4
9 10 11	333.7341(8)	CS	G	Delivery or manufacture or imitation controlled substance	2
12 13	333.7401(2)(a)(i)	CS	A	Delivery or manufacture of >649 grams by juvenile	Life
14 15	333.7401(2)(a)(iii)	CS	B	Delivery or manufacture of 50-224 grams	20
16 17	333.7401(2)(a)(iv)	CS	D	Delivery or manufacture of <50 grams	20
18 19	333.7401(2)(b)	CS	E	Delivery or manufacture schedule 1/2/3 except marijuana	7
20 21	333.7401(2)(c)	CS	F	Delivery or manufacture schedule 4	4
22 23	333.7401(2)(d)(i)	CS	C	Delivery or manufacture >45 kilos of marijuana	15
24 25	333.7401(2)(d)(ii)	CS	D	Delivery or manufacture of 5-45 kilos of marijuana	7
26 27 28	333.7401(2)(d)(iii)	CS	F	Delivery or manufacture <5 kilos or 20 plants of marijuana	4
29 30	333.7401(2)(e)	CS	G	Delivery or manufacture schedule 5	2
31 32 33	333.7401(2)(f)	CS	D	Delivery or manufacture of an official or counterfeit prescription form	20
34 35 36	333.7401(2)(g)	CS	D	Delivery or manufacture prescription or counterfeit form (other than official)	7

1 2 3	333.7401B(2)(A)	CS	D	OPERATING OR MAINTAINING CONTROLLED SUBSTANCE LABORATORY	10
4 5 6	333.7401B(2)(B)	CS	B	OPERATING OR MAINTAINING CONTROLLED SUBSTANCE LABORATORY IN PRESENCE OF MINOR	20
7 8 9	333.7401B(2)(C)	CS	B	OPERATING OR MAINTAINING CONTROLLED SUBSTANCE LABORATORY INVOLVING HAZARDOUS WASTE	20
10 11 12	333.7401B(2)(D)	CS	B	OPERATING OR MAINTAINING CONTROLLED SUBSTANCE LABORATORY NEAR CERTAIN PLACES	20
13 14 15 16	333.7401B(2)(E)	CS	A	OPERATING OR MAINTAINING CONTROLLED SUBSTANCE LABORATORY INVOLVING FIREARM OR OTHER HARMFUL DEVICE	25
17 18 19	333.7402(2)(a)	CS	D	Delivery or manufacture of an imitation controlled substance	10
20 21 22	333.7402(2)(b)	CS	E	Delivery or manufacture imitation controlled substance schedule 1/2/3	5
23 24 25	333.7402(2)(c)	CS	F	Delivery or manufacture imitation controlled substance schedule 4	4
26 27 28	333.7402(2)(d)	CS	G	Delivery or manufacture imitation controlled substance schedule 5	2
29 30	333.7402(2)(e)	CS	C	Delivery or manufacture analogue	15
31 32	333.7403(2)(a)(i)	CS	A	Possession >649 grams by juvenile	Life
33	333.7403(2)(a)(iii)	CS	B	Possession 50-224 grams	20
34	333.7403(2)(a)(iv)	CS	G	Possession of 25-49 grams	4
35	333.7403(2)(a)(v)	CS	G	Possession of <25 grams	4
36 37	333.7403(2)(b)	CS	G	Possession certain schedule 1/2/3/4 or analogue	2
38 39	333.7403(2)(e)	CS	H	Possession of official prescription form	1

1 2	333.7405(a)	CS	G	Controlled substance violations by licensee	2
3 4	333.7405(b)	CS	G	Manufacturing or distribution violations by licensee	2
5	333.7405(c)	CS	G	Refusing lawful inspection	2
6	333.7405(d)	CS	G	Maintaining drug house	2
7 8	333.7407(1)(a)	CS	G	Controlled substance viola- tions by licensee	4
9 10	333.7407(1)(b)	CS	G	Use of fictitious, revoked, or suspended license number	4
11 12	333.7407(1)(c)	CS	G	Obtaining controlled substance by fraud	4
13 14	333.7407(1)(d)	CS	G	False reports under controlled substance article	4
15 16	333.7407(1)(e)	CS	G	Possession of counterfeiting implements	4
17 18	333.7407(1)(f)	CS	F	Disclosing or obtaining pre- scription information	4
19 20	333.7407(1)(g)	CS	F	Possession of counterfeit pre- scription form	4
21 22 23	333.7407(2)	CS	G	Refusing to furnish records under controlled substance article	4
24 25	333.10204(1)	Pub ord	F	Transferring a human organ for valuable consideration	4
26 27	333.10204(4)	Pub saf	F	Removal of a human organ by an unauthorized individual	4
28 29	333.10205	Pub saf	F	Removal of a human organ in an unapproved facility	4
30 31	333.13738(2)	Pub saf	F	Waste disposal violations -- second offense	5
32 33	333.13738(3)	Pub saf	F	Disposing of waste -- indif- ference to human life	2
34 35	333.13738(3)	Pub saf	B	Disposing of waste -- extreme indifference to human life	20

1	333.16170(3)	Pub trst	F	False representation -- health	
2				professional recovery	
3				program	4
4	333.16294	Pub saf	F	Health profession -- unautho-	
5				rized practice	4
6	333.17766a(2)(a)	CS	F	Possession of steroids --	
7				second offense	4
8	333.17766a(3)	CS	E	Delivery or manufacture of	
9				steroids	7
10	333.17766a(4)	CS	G	Delivery of imitation steroids	7
11	333.17766c(2)	CS	G	Possession >10 grams ephedrine	2
12	333.20142(5)	Pub trst	F	False statement -- application	
13				licensure health facility	4
14	333.21792	Pub trst	G	Nursing homes -- referral	
15				fees/bribing officials/	
16				accepting bribes	4
17	388.936	Pub trst	F	Knowingly making false state-	
18				ment -- school district	
19				loans	4
20	388.962	Pub trst	F	Knowingly making false state-	
21				ment -- school district	
22				loans	4

23           Enacting section 1. This amendatory act does not take  
24 effect unless Senate Bill No. 1043 of the 90th Legislature is  
25 enacted into law.