

SUBSTITUTE FOR
HOUSE BILL NO. 5391

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 2001 PA 156, and by adding sections 13b, 13c, 13d, 13e, 13f,
13g, 13j, 13k, 13m, 13n, and 13p.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1
2
3
4
5
6
7
8
9
10
11

CHAPTER XVII

Sec. 13. This chapter applies to ~~the following~~ felonies
enumerated in chapters 300 to 399 of the Michigan Compiled Laws
~~AS SET FORTH IN SECTIONS 13A TO 13P OF THIS CHAPTER.~~

M.C.L.	Category	Class	Description	Stat	Max
324.1608	Person	G	Resisting and obstructing conservation officer	2	
324.2157(1)(c)	Property	E	Damage to state property involving \$1,000 to \$20,000 or with prior convictions	5	

HB5391, As Passed House, December 6, 2001

House Bill No. 5391

2

1	324.2157(1)(d)	Property	D	Damage to state property	
2				involving \$20,000 or	
3				more or with prior	
4				convictions	10
5	324.3115(2)	Pub saf	H	Waste discharge viola-	
6				tions	2
7	324.3115(4)	Pub saf	G	Waste discharge viola-	
8				tions -- substantial	
9				endangerment	5
10	324.5531(4)	Pub saf	H	Knowingly releasing	
11				pollutants	2
12	324.5531(5)	Pub saf	G	Knowingly releasing pol-	
13				lutants -- causing	
14				death or serious bodily	
15				injury	6
16	324.5531(6)	Pub saf	C	Knowingly releasing pol-	
17				lutants -- resulting in	
18				death or serious bodily	
19				injury	15
20	324.8905(2)	Pub saf	H	Infectious	
21				waste/pathological	
22				waste/sharps -- litter-	
23				ing violation	2
24	324.8905(3)	Pub saf	G	Infectious	
25				waste/pathological	
26				waste/sharps -- litter-	
27				ing violation -- subse-	
28				quent offense	5
29	324.11151(2)	Pub saf	H	Hazardous waste viola-	
30				tions -- subsequent	
31				offense	2
32	324.11151(3)	Pub saf	H	Hazardous waste violation	
33				-- with disregard for	
34				human life	2
35	324.11151(3)	Pub saf	G	Hazardous waste violation	
36				-- with extreme indif-	
37				ference for human life	5
38	324.12116(2)	Pub saf	H	Waste -- false statement	
39				or entry in a license	
40				application	2

HB5391, As Passed House, December 6, 2001

House Bill No. 5391

3

1	324.20139(3)	Pub saf	H	Hazardous waste --	
2				knowingly releases or	
3				causes the release	2
4	324.21324(1)	Pub saf	G	Underground storage tanks	
5				-- false or misleading	
6				information	5
7	324.21548(1)	Pub trst	H	False statement, report,	
8				claim, bid, work	
9				invoice, or other	
10				request for payment	5
11	324.30316(3)	Pub saf	H	NREPA violation -- subse-	
12				quent offense	2
13	324.31525	Person	G	NREPA -- imminent danger	
14				of death or serious	
15				injury -- subsequent	
16				offense	2
17	324.33939(1)	Pub trst	H	NREPA violation for com-	
18				mmercial purposes	2
19	324.40118(11)	Pub ord	G	Wildlife conservation --	
20				buying selling pro-	
21				ected animals -- sub-	
22				sequent offense	4
23	324.51120(2)	Property	H	Removing forest products	
24				over \$2,500	3
25	324.51512	Pub saf	D	Willfully setting forest	
26				fires	10
27	324.52908(1)(c)	Property	E	Damage to plant involving	
28				\$1,000 to \$20,000 or	
29				with prior convictions	5
30	324.52908(1)(d)	Property	D	Damage to plant involving	
31				\$20,000 or more or with	
32				prior convictions	10
33	324.61511	Pub trst	G	False affidavit under	
34				NREPA	5
35	324.61521(1)	Pub trst	G	Evading rule under NREPA	3
36	324.76107(3)	Pub ord	D	Removing or mutilating	
37				human body from Great	
38				Lakes bottomland	10
39	324.76107(4)(c)	Property	E	Recovering abandoned	
40				property in Great Lakes	

HB5391, As Passed House, December 6, 2001

House Bill No. 5391

4

1				having value of \$1,000	
2				to \$20,000 or with	
3				prior convictions	5
4	324.76107(4)(d)	Property	D	Recovering abandoned	
5				property in Great Lakes	
6				having value of \$20,000	
7				or more or with prior	
8				convictions	10
9	324.80130d(1)	Pub ord	H	False representation to	
10				obtain personal	
11				information	4
12	324.80130d(2)	Pub ord	G	False representation to	
13				obtain personal infor-	
14				mation -- second	
15				offense	7
16	324.80130d(3)	Pub ord	C	False representation to	
17				obtain personal infor-	
18				mation -- third or sub-	
19				sequent offense	15
20	324.80172	Person	G	Negligent crippling or	
21				homicide by vessel	2
22	324.80173	Person	G	Felonious operation of a	
23				vessel	2
24	324.80176(4)	Person	C	Operating a vessel under	
25				the influence causing	
26				death	15
27	324.80176(5)	Person	E	Operating a vessel under	
28				the influence causing	
29				serious impairment	5
30	324.80177(1)(c)	Pub saf	E	Operating a vessel under	
31				the influence -- third	
32				or subsequent offense	5
33	324.80319a(1)	Pub ord	H	False representation to	
34				obtain personal	
35				information	4
36	324.80319a(2)	Pub ord	G	False representation to	
37				obtain personal infor-	
38				mation -- second	
39				offense	7
40	324.80319a(3)	Pub ord	C	False representation to	
41				obtain personal	

HB5391, As Passed House, December 6, 2001

House Bill No. 5391

5

1				information -- third or	
2				subsequent offense	15
3	324.81120(1)	Pub ord	H	False representation to	
4				obtain personal	
5				information	4
6	324.81120(2)	Pub ord	G	False representation to	
7				obtain personal infor=	
8				mation -- second	
9				offense	7
10	324.81120(3)	Pub ord	C	False representation to	
11				obtain personal infor=	
12				mation -- third or sub=	
13				sequent offense	15
14	324.81134(6)	Pub saf	E	Operating an ORV under	
15				the influence -- third	
16				or subsequent offense	5
17	324.81134(7)	Person	C	Operating an ORV under	
18				the influence causing	
19				death	15
20	324.81134(8)	Person	E	Operating an ORV under	
21				the influence causing	
22				serious impairment	5
23	324.82126c(1)	Person	G	Operating a snowmobile	
24				carelessly or negli=	
25				gently causing death or	
26				serious impairment	2
27	324.82126c(2)	Person	G	Operating a snowmobile	
28				without regard to	
29				safety causing serious	
30				impairment	2
31	324.82127(4)	Person	C	Operating a snowmobile	
32				under the influence	
33				causing death	15
34	324.82127(5)	Person	E	Operating a snowmobile	
35				under the influence	
36				causing serious	
37				impairment	5
38	324.82128(1)(c)	Pub saf	E	Operating a snowmobile	
39				under the influence --	
40				third or subsequent	
41				offense	5

HB5391, As Passed House, December 6, 2001

House Bill No. 5391

6

1	324.82160(1)	Pub ord	H	False representation to	
2				obtain personal	
3				information	4
4	324.82160(2)	Pub ord	G	False representation to	
5				obtain personal infor=	
6				mation -- second	
7				offense	7
8	324.82160(3)	Pub ord	C	False representation to	
9				obtain personal infor=	
10				mation -- third or sub=	
11				sequent offense	15
12	328.232	Property	E	Conversion of funeral	
13				contracts	5
14	333.2685	Person	E	Use of a live human	
15				embryo, fetus for non=	
16				therapeutic research	5
17	333.2688	Person	E	Research on dead embryo	
18				or fetus without	
19				mother's consent	5
20	333.2689	Person	E	Abortion to obtain embryo	5
21	333.2690	Person	E	Sale or delivery of fetus	
22				or embryo	5
23	333.2813(3)	Pub trst	F	Unauthorized disclosure	
24				of social security	
25				number -- subsequent	
26				offense	4
27	333.2835(9)	Pub trst	G	Disclosing confidential	
28				information -- abortion	3
29	333.5210	Person	F	AIDS -- sexual penetra=	
30				tion with uninformed	
31				partner	4
32	333.5661	Person	F	Fraud resulting in	
33				patient death	4
34	333.7341(8)	CS	G	Delivery or manufacture	
35				of imitation controlled	
36				substance	2
37	333.7401(2)(a)(i)	CS	A	Delivery or manufacture	
38				of 650 or more grams of	
39				certain schedule 1 or 2	
40				controlled substances	Life

HB5391, As Passed House, December 6, 2001

House Bill No. 5391

7

1	333.7401(2)(a)(ii)	CS	A	Delivery or manufacture	30
2				of 225 or more but less	
3				than 650 grams of cer-	
4				tain schedule 1 or 2	
5				controlled substances	
6	333.7401(2)(a)(iii)	CS	B	Delivery or manufacture	20
7				of 50 or more but less	
8				than 225 grams of cer-	
9				tain schedule 1 or 2	
10				controlled substances	
11	333.7401(2)(a)(iv)	CS	D	Delivery or manufacture	20
12				of less than 50 grams	
13				of certain schedule 1	
14				or 2 controlled	
15				substances	
16	333.7401(2)(b)(i)	CS	B	Delivery or manufacture	20
17				of methamphetamine	
18	333.7401(2)(b)(ii)	CS	E	Delivery or manufacture	7
19				of certain schedule 1,	
20				2, or 3 controlled	
21				substances	
22	333.7401(2)(c)	CS	F	Delivery or manufacture	4
23				of schedule 4 con-	
24				trolled substance	
25	333.7401(2)(d)(i)	CS	C	Delivery or manufacture	15
26				of 45 or more kilograms	
27				of marijuana	
28	333.7401(2)(d)(ii)	CS	D	Delivery or manufacture	7
29				of 5 or more but less	
30				than 45 kilograms of	
31				marijuana	
32	333.7401(2)(d)(iii)	CS	F	Delivery or manufacture	4
33				of less than 5 kilo-	
34				grams or 20 plants of	
35				marijuana	
36	333.7401(2)(e)	CS	G	Delivery or manufacture	2
37				of schedule 5 con-	
38				trolled substance	
39	333.7401(2)(f)	CS	D	Delivery or manufacture	20
40				of an official or coun-	
41				terfeit prescription	
42				form	

HB5391, As Passed House, December 6, 2001

House Bill No. 5391

8

1	333.7401(2)(g)	CS	D	Delivery or manufacture	7
2				of prescription or	
3				counterfeit form (other	
4				than official)	
5	333.7401a	Person	B	Delivering a controlled	
6				substance or GBL with	
7				intent to commit crimi-	
8				nal sexual conduct	20
9	333.7401b(3)(a)	CS	E	Delivery or manufacture	
10				of GBL	7
11	333.7401b(3)(b)	CS	G	Possession of GBL	2
12	333.7401c(2)(a)	CS	D	Operating or maintaining	
13				controlled substance	
14				laboratory	10
15	333.7401c(2)(b)	CS	B	Operating or maintaining	
16				controlled substance	
17				laboratory in presence	
18				of minor	20
19	333.7401c(2)(c)	CS	B	Operating or maintaining	
20				controlled substance	
21				laboratory involving	
22				hazardous waste	20
23	333.7401c(2)(d)	CS	B	Operating or maintaining	
24				controlled substance	
25				laboratory near certain	
26				places	20
27	333.7401c(2)(e)	CS	A	Operating or maintaining	
28				controlled substance	
29				laboratory involving	
30				firearm or other harm-	
31				ful device	25
32	333.7402(2)(a)	CS	D	Delivery or manufacture	
33				of certain imitation	
34				controlled substances	10
35	333.7402(2)(b)	CS	E	Delivery or manufacture	
36				of schedule 1, 2, or 3	
37				imitation controlled	
38				substance	5
39	333.7402(2)(c)	CS	F	Delivery or manufacture	
40				of imitation schedule 4	
41				controlled substance	4

HB5391, As Passed House, December 6, 2001

House Bill No. 5391

9

1	333.7402(2)(d)	CS	G	Delivery or manufacture	
2				of imitation schedule 5	
3				controlled substance	2
4	333.7402(2)(e)	CS	C	Delivery or manufacture	
5				of controlled substance	
6				analogue	15
7	333.7403(2)(a)(i)	CS	A	Possession of 650 or more	
8				grams of certain sched=	
9				ule 1 or 2 controlled	
10				substances by juvenile	Life
11	333.7403(2)(a)(ii)	CS	A	Possession of 225 or more	
12				but less than 650 grams	
13				of certain schedule 1	
14				or 2 controlled	
15				substances	30
16	333.7403(2)(a)(iii)	CS	B	Possession of 50 or more	
17				but less than 225 grams	
18				of certain schedule 1	
19				or 2 controlled	
20				substances	20
21	333.7403(2)(a)(iv)	CS	G	Possession of 25 or more	
22				but less than 50 grams	
23				of certain schedule 1	
24				or 2 controlled	
25				substances	4
26	333.7403(2)(a)(v)	CS	G	Possession of less than	
27				25 grams of certain	
28				schedule 1 or 2 con=	
29				trolled substances	4
30	333.7403(2)(b)(i)	CS	D	Possession of	
31				methamphetamine	10
32	333.7403(2)(b)(ii)	CS	G	Possession of certain	
33				schedule 1, 2, 3, or 4	
34				controlled substances	
35				or controlled sub=	
36				stances analogue	2
37	333.7403(2)(e)	CS	H	Possession of official	
38				prescription form	1
39	333.7405(a)	CS	G	Controlled substance vio=	
40				lations by licensee	2
41	333.7405(b)	CS	G	Manufacturing or	
42				distribution violations	
43				by licensee	2

HB5391, As Passed House, December 6, 2001

House Bill No. 5391 10

1	333.7405(c)	CS	G	Refusing lawful	
2				inspection	2
3	333.7405(d)	CS	G	Maintaining drug house	2
4	333.7407(1)(a)	CS	G	Controlled substance vio-	
5				lations by licensee	4
6	333.7407(1)(b)	CS	G	Use of fictitious,	
7				revoked, or suspended	
8				license number	4
9	333.7407(1)(c)	CS	G	Obtaining controlled sub-	
10				stance by fraud	4
11	333.7407(1)(d)	CS	G	False reports under con-	
12				trolled substance	
13				article	4
14	333.7407(1)(e)	CS	G	Possession of counter-	
15				feiting implements	4
16	333.7407(1)(f)	CS	F	Disclosing or obtaining	
17				prescription	
18				information	4
19	333.7407(1)(g)	CS	F	Possession of counterfeit	
20				prescription form	4
21	333.7407(2)	CS	G	Refusing to furnish	
22				records under con-	
23				trolled substance	
24				article	4
25	333.7410a	CS	G	Controlled substance	
26				offense or offense	
27				involving GBL in or	
28				near a park	2
29	333.10204(1)	Pub ord	F	Transferring a human	
30				organ for valuable	
31				consideration	4
32	333.10204(4)	Pub saf	F	Removal of a human organ	
33				by an unauthorized	
34				individual	4
35	333.10205	Pub saf	F	Removal of a human organ	
36				in an unapproved	
37				facility	4
38	333.13738(2)	Pub saf	F	Waste disposal violations	
39				= second offense	5

HB5391, As Passed House, December 6, 2001

House Bill No. 5391

11

1	333.13738(3)	Pub saf	F	Disposing of waste --	
2				indifference to human	
3				life	2
4		Pub saf	B	Disposing of waste --	
5				extreme indifference to	
6				human life	20
7	333.16170(3)	Pub trst	F	False representation --	
8				health professional	
9				recovery program	4
10	333.16294	Pub saf	F	Health profession --	
11				unauthorized practice	4
12	333.17766a(2)	CS	F	Possession of steroids --	
13				subsequent offense	4
14	333.17766a(3)	CS	E	Delivery or manufacture	
15				of steroids	7
16	333.17766a(4)	CS	G	Delivery of imitation	
17				steroids	7
18	333.17766c(2)	CS	G	Possession of more than	
19				10 grams ephedrine	2
20	333.20142(5)	Pub trst	F	False statement -- appli-	
21				cation licensure health	
22				facility	4
23	333.21792	Pub trst	G	Nursing homes -- referral	
24				fees/bribing officials/	
25				accepting bribes	4
26	338.1053	Pub trst	F	Private security business	
27				and security alarm act	
28				violation	4
29	338.3434a(2)	Pub trst	F	Unauthorized disclosure	
30				of a social security	
31				number -- subsequent	
32				offense	4
33	388.936	Pub trst	F	Knowingly making false	
34				statement -- school	
35				district loans	4
36	388.962	Pub trst	F	Knowingly making false	
37				statement -- school	
38				district loans	4

HB5391, As Passed House, December 6, 2001

House Bill No. 5391

12

1 SEC. 13B. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 2 ENUMERATED IN CHAPTER 324 OF THE MICHIGAN COMPILED LAWS:

3	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT MAX
4	324.1608	PERSON	G	RESISTING AND OBSTRUCTING CONSERVATION OFFICER	2
5					
6	324.2157(1)(C)	PROPERTY	E	DAMAGE TO STATE PROPERTY INVOLVING \$1,000 TO \$20,000 OR WITH PRIOR CONVICTIONS	5
7					
8					
9					
10	324.2157(1)(D)	PROPERTY	D	DAMAGE TO STATE PROPERTY INVOLVING \$20,000 OR MORE OR WITH PRIOR CONVICTIONS	10
11					
12					
13					

14 SEC. 13C. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 15 ENUMERATED IN CHAPTER 324 OF THE MICHIGAN COMPILED LAWS:

16	M.C.L. MAX	CATEGORY	CLASS	DESCRIPTION	STAT
17	324.3115(2)	PUB SAF	H	WASTE DISCHARGE VIOLA- TIONS	2
18					
19	324.3115(4)	PUB SAF	G	WASTE DISCHARGE VIOLA- TIONS -- SUBSTANTIAL ENDANGERMENT	5
20					
21					
22	324.5531(4)	PUB SAF	H	KNOWINGLY RELEASING POLLUTANTS	2
23					
24	324.5531(5)	PUB SAF	G	KNOWINGLY RELEASING POL- LUTANTS -- CAUSING DEATH OR SERIOUS BODILY INJURY	6
25					
26					
27					
28	324.5531(6)	PUB SAF	C	KNOWINGLY RELEASING POL- LUTANTS -- RESULTING IN DEATH OR SERIOUS BODILY INJURY	15
29					
30					
31					
32	324.8905(2)	PUB SAF	H	INFECTIOUS WASTE/PATHOLOGICAL WASTE/SHARPS -- LITTER- ING VIOLATION	2
33					
34					
35					
36	324.8905(3)	PUB SAF	G	INFECTIOUS WASTE/PATHOLOGICAL WASTE/SHARPS --	
37					
38					

HB5391, As Passed House, December 6, 2001

House Bill No. 5391 13

1				LITTERING VIOLATION --	
2				SUBSEQUENT OFFENSE	5
3	324.11151(2)	PUB SAF	H	HAZARDOUS WASTE VIOLA-	
4				TIONS -- SUBSEQUENT	
5				OFFENSE	2
6	324.11151(3)	PUB SAF	H	HAZARDOUS WASTE VIOLATION	
7				-- WITH DISREGARD FOR	
8				HUMAN LIFE	2
9	324.11151(3)	PUB SAF	G	HAZARDOUS WASTE VIOLATION	
10				-- WITH EXTREME INDIF-	
11				ERENCE FOR HUMAN LIFE	5
12	324.12116(2)	PUB SAF	H	WASTE -- FALSE STATEMENT	
13				OR ENTRY IN A LICENSE	
14				APPLICATION	2
15	324.20139(3)	PUB SAF	H	HAZARDOUS WASTE -- KNOW-	
16				INGLY RELEASES OR	
17				CAUSES THE RELEASE	2
18	324.21324(1)	PUB SAF	G	UNDERGROUND STORAGE TANKS	
19				-- FALSE OR MISLEADING	
20				INFORMATION	5
21	324.21548(1)	PUB TRST	H	FALSE STATEMENT, REPORT,	
22				CLAIM, BID, WORK	
23				INVOICE, OR OTHER	
24				REQUEST FOR PAYMENT	5

25 SEC. 13D. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 26 ENUMERATED IN CHAPTER 324 OF THE MICHIGAN COMPILED LAWS:

27	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT MAX
28	324.30316(3)	PUB SAF	H	NREPA VIOLATION -- SUBSE-	
29				QUENT OFFENSE	2
30	324.31525	PERSON	G	NREPA -- IMMINENT DANGER	
31				OF DEATH OR SERIOUS	
32				INJURY -- SUBSEQUENT	
33				OFFENSE	2
34	324.33939(1)	PUB TRST	H	NREPA VIOLATION FOR COM-	
35				MERCIAL PURPOSES	2

36 SEC. 13E. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 37 ENUMERATED IN CHAPTER 324 OF THE MICHIGAN COMPILED LAWS:

HB5391, As Passed House, December 6, 2001

House Bill No. 5391

14

1	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT	MAX
2	324.40118(11)	PUB ORD	G	WILDLIFE CONSERVATION --		
3				BUYING SELLING PRO-		
4				TECTED ANIMALS -- SUB-		
5				SEQUENT OFFENSE	4	
6	324.51120(2)	PROPERTY	H	REMOVING FOREST PRODUCTS		
7				OVER \$2,500	3	
8	324.51512	PUB SAF	D	WILLFULLY SETTING FOREST		
9				FIRES	10	
10	324.52908(1)(C)	PROPERTY	E	DAMAGE TO PLANT INVOLVING		
11				\$1,000 TO \$20,000 OR		
12				WITH PRIOR CONVICTIONS	5	
13	324.52908(1)(D)	PROPERTY	D	DAMAGE TO PLANT INVOLVING		
14				\$20,000 OR MORE OR WITH		
15				PRIOR CONVICTIONS	10	

16 SEC. 13F. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 17 ENUMERATED IN CHAPTER 324 OF THE MICHIGAN COMPILED LAWS:

18	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT	MAX
19	324.61511	PUB TRST	G	FALSE AFFIDAVIT UNDER		
20				NREPA	5	
21	324.61521(1)	PUB TRST	G	EVADING RULE UNDER NREPA		
22					3	

22 SEC. 13G. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 23 ENUMERATED IN CHAPTER 324 OF THE MICHIGAN COMPILED LAWS:

24	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT	MAX
25	324.76107(3)	PUB ORD	D	REMOVING OR MUTILATING		
26				HUMAN BODY FROM GREAT		
27				LAKES BOTTOMLAND	10	
28	324.76107(4)(C)	PROPERTY	E	RECOVERING ABANDONED		
29				PROPERTY IN GREAT LAKES		
30				HAVING VALUE OF \$1,000		
31				TO \$20,000 OR WITH		
32				PRIOR CONVICTIONS	5	
33	324.76107(4)(D)	PROPERTY	D	RECOVERING ABANDONED		
34				PROPERTY IN GREAT LAKES		
35				HAVING VALUE OF \$20,000		
36				OR MORE OR WITH PRIOR		
37				CONVICTIONS	10	

HB5391, As Passed House, December 6, 2001

House Bill No. 5391 15

1 2 3	324.80130D(1)	PUB ORD	H	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION	4
4 5 6 7	324.80130D(2)	PUB ORD	G	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION -- SECOND OFFENSE	7
8 9 10 11	324.80130D(3)	PUB ORD	C	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION -- THIRD OR SUBSEQUENT OFFENSE	15
12 13	324.80172	PERSON	G	NEGLIGENT CRIPPLING OR HOMICIDE BY VESSEL	2
14 15	324.80173	PERSON	G	FELONIOUS OPERATION OF A VESSEL	2
16 17 18	324.80176(4)	PERSON	C	OPERATING A VESSEL UNDER THE INFLUENCE CAUSING DEATH	15
19 20 21	324.80176(5)	PERSON	E	OPERATING A VESSEL UNDER THE INFLUENCE CAUSING SERIOUS IMPAIRMENT	5
22 23 24	324.80177(1)(C)	PUB SAF	E	OPERATING A VESSEL UNDER THE INFLUENCE -- THIRD OR SUBSEQUENT OFFENSE	5
25 26 27	324.80319A(1)	PUB ORD	H	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION	4
28 29 30 31	324.80319A(2)	PUB ORD	G	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION -- SECOND OFFENSE	7
32 33 34 35	324.80319A(3)	PUB ORD	C	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION -- THIRD OR SUBSEQUENT OFFENSE	15
36 37 38	324.81120(1)	PUB ORD	H	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION	4
39 40 41 42	324.81120(2)	PUB ORD	G	FALSE REPRESENTATION TO OBTAIN PERSONAL INFORMATION -- SECOND OFFENSE	7

HB5391, As Passed House, December 6, 2001

House Bill No. 5391 16

1	324.81120(3)	PUB ORD	C	FALSE REPRESENTATION TO	
2				OBTAIN PERSONAL INFOR-	
3				MATION -- THIRD OR SUB-	
4				SEQUENT OFFENSE	15
5	324.81134(6)	PUB SAF	E	OPERATING AN ORV UNDER	
6				THE INFLUENCE -- THIRD	
7				OR SUBSEQUENT OFFENSE	5
8	324.81134(7)	PERSON	C	OPERATING AN ORV UNDER	
9				THE INFLUENCE CAUSING	
10				DEATH	15
11	324.81134(8)	PERSON	E	OPERATING AN ORV UNDER	
12				THE INFLUENCE CAUSING	
13				SERIOUS IMPAIRMENT	5
14	324.82126C(1)	PERSON	G	OPERATING A SNOWMOBILE	
15				CARELESSLY OR NEGLI-	
16				GENTLY CAUSING DEATH OR	
17				SERIOUS IMPAIRMENT	2
18	324.82126C(2)	PERSON	G	OPERATING A SNOWMOBILE	
19				WITHOUT REGARD TO	
20				SAFETY CAUSING SERIOUS	
21				IMPAIRMENT	2
22	324.82127(4)	PERSON	C	OPERATING A SNOWMOBILE	
23				UNDER THE INFLUENCE	
24				CAUSING DEATH	15
25	324.82127(5)	PERSON	E	OPERATING A SNOWMOBILE	
26				UNDER THE INFLUENCE	
27				CAUSING SERIOUS	
28				IMPAIRMENT	5
29	324.82128(1)(C)	PUB SAF	E	OPERATING A SNOWMOBILE	
30				UNDER THE INFLUENCE --	
31				THIRD OR SUBSEQUENT	
32				OFFENSE	5
33	324.82160(1)	PUB ORD	H	FALSE REPRESENTATION TO	
34				OBTAIN PERSONAL	
35				INFORMATION	4
36	324.82160(2)	PUB ORD	G	FALSE REPRESENTATION TO	
37				OBTAIN PERSONAL INFOR-	
38				MATION -- SECOND	
39				OFFENSE	7
40	324.82160(3)	PUB ORD	C	FALSE REPRESENTATION TO	
41				OBTAIN PERSONAL	
42				INFORMATION -- THIRD OR	
43				SUBSEQUENT OFFENSE	15

HB5391, As Passed House, December 6, 2001

House Bill No. 5391

17

1 SEC. 13J. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
2 ENUMERATED IN CHAPTERS 325 TO 332 OF THE MICHIGAN COMPILED LAWS:

3	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT	MAX
4	328.232	PROPERTY	E	CONVERSION OF FUNERAL		
5				CONTRACTS		5

6 SEC. 13K. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
7 ENUMERATED IN CHAPTER 333 OF THE MICHIGAN COMPILED LAWS:

8	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT	MAX
9	333.2685	PERSON	E	USE OF A LIVE HUMAN		
10				EMBRYO, FETUS FOR NON-		
11				THERAPEUTIC RESEARCH		5
12	333.2688	PERSON	E	RESEARCH ON DEAD EMBRYO		
13				OR FETUS WITHOUT		
14				MOTHER'S CONSENT		5
15	333.2689	PERSON	E	ABORTION TO OBTAIN EMBRYO		5
16	333.2690	PERSON	E	SALE OR DELIVERY OF FETUS		
17				OR EMBRYO		5
18	333.2813(3)	PUB TRST	F	UNAUTHORIZED DISCLOSURE		
19				OF SOCIAL SECURITY		
20				NUMBER -- SUBSEQUENT		
21				OFFENSE		4
22	333.2835(9)	PUB TRST	G	DISCLOSING CONFIDENTIAL		
23				INFORMATION -- ABORTION		3
24	333.5210	PERSON	F	AIDS -- SEXUAL PENETRA-		
25				TION WITH UNINFORMED		
26				PARTNER		4
27	333.5661	PERSON	F	FRAUD RESULTING IN		
28				PATIENT DEATH		4

29 SEC. 13M. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
30 ENUMERATED IN CHAPTER 333 OF THE MICHIGAN COMPILED LAWS:

31	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT	MAX
32	333.7341(8)	CS	G	DELIVERY OR MANUFACTURE		
33				OF IMITATION CONTROLLED		
34				SUBSTANCE		2

HB5391, As Passed House, December 6, 2001

House Bill No. 5391

18

1	333.7401(2)(A)(i)	CS	A	DELIVERY OR MANUFACTURE	
2				OF 650 OR MORE GRAMS OF	
3				CERTAIN SCHEDULE 1 OR 2	
4				CONTROLLED SUBSTANCES	LIFE
5	333.7401(2)(A)(ii)	CS	A	DELIVERY OR MANUFACTURE	
6				OF 225 OR MORE BUT LESS	
7				THAN 650 GRAMS OF CER-	
8				TAIN SCHEDULE 1 OR 2	
9				CONTROLLED SUBSTANCES	30
10	333.7401(2)(A)(iii)	CS	B	DELIVERY OR MANUFACTURE	
11				OF 50 OR MORE BUT LESS	
12				THAN 225 GRAMS OF CER-	
13				TAIN SCHEDULE 1 OR 2	
14				CONTROLLED SUBSTANCES	20
15	333.7401(2)(A)(iv)	CS	D	DELIVERY OR MANUFACTURE	
16				OF LESS THAN 50 GRAMS	
17				OF CERTAIN SCHEDULE 1	
18				OR 2 CONTROLLED	
19				SUBSTANCES	20
20	333.7401(2)(B)(i)	CS	B	DELIVERY OR MANUFACTURE	
21				OF METHAMPHETAMINE	20
22	333.7401(2)(B)(ii)	CS	E	DELIVERY OR MANUFACTURE	
23				OF CERTAIN SCHEDULE 1,	
24				2, OR 3 CONTROLLED	
25				SUBSTANCES	7
26	333.7401(2)(C)	CS	F	DELIVERY OR MANUFACTURE	
27				OF SCHEDULE 4 CON-	
28				TROLLED SUBSTANCE	4
29	333.7401(2)(D)(i)	CS	C	DELIVERY OR MANUFACTURE	
30				OF 45 OR MORE KILOGRAMS	
31				OF MARIJUANA	15
32	333.7401(2)(D)(ii)	CS	D	DELIVERY OR MANUFACTURE	
33				OF 5 OR MORE BUT LESS	
34				THAN 45 KILOGRAMS OF	
35				MARIJUANA	7
36	333.7401(2)(D)(iii)	CS	F	DELIVERY OR MANUFACTURE	
37				OF LESS THAN 5 KILO-	
38				GRAMS OR 20 PLANTS OF	
39				MARIJUANA	4
40	333.7401(2)(E)	CS	G	DELIVERY OR MANUFACTURE	
41				OF SCHEDULE 5 CON-	
42				TROLLED SUBSTANCE	2

HB5391, As Passed House, December 6, 2001

House Bill No. 5391 19

1	333.7401(2)(F)	CS	D	DELIVERY OR MANUFACTURE	
2				OF AN OFFICIAL OR	
3				COUNTERFEIT PRESCRIP-	
4				TION FORM	20
5	333.7401(2)(G)	CS	D	DELIVERY OR MANUFACTURE	
6				OF PRESCRIPTION OR	
7				COUNTERFEIT FORM (OTHER	
8				THAN OFFICIAL)	7
9	333.7401A	PERSON	B	DELIVERING A CONTROLLED	
10				SUBSTANCE OR GBL WITH	
11				INTENT TO COMMIT CRIMI-	
12				NAL SEXUAL CONDUCT	20
13	333.7401B(3)(A)	CS	E	DELIVERY OR MANUFACTURE	
14				OF GBL	7
15	333.7401B(3)(B)	CS	G	POSSESSION OF GBL	2
16	333.7401C(2)(A)	CS	D	OPERATING OR MAINTAINING	
17				CONTROLLED SUBSTANCE	
18				LABORATORY	10
19	333.7401C(2)(B)	CS	B	OPERATING OR MAINTAINING	
20				CONTROLLED SUBSTANCE	
21				LABORATORY IN PRESENCE	
22				OF MINOR	20
23	333.7401C(2)(C)	CS	B	OPERATING OR MAINTAINING	
24				CONTROLLED SUBSTANCE	
25				LABORATORY INVOLVING	
26				HAZARDOUS WASTE	20
27	333.7401C(2)(D)	CS	B	OPERATING OR MAINTAINING	
28				CONTROLLED SUBSTANCE	
29				LABORATORY NEAR CERTAIN	
30				PLACES	20
31	333.7401C(2)(E)	CS	A	OPERATING OR MAINTAINING	
32				CONTROLLED SUBSTANCE	
33				LABORATORY INVOLVING	
34				FIREARM OR OTHER HARM-	
35				FUL DEVICE	25
36	333.7402(2)(A)	CS	D	DELIVERY OR MANUFACTURE	
37				OF CERTAIN IMITATION	
38				CONTROLLED SUBSTANCES	10
39	333.7402(2)(B)	CS	E	DELIVERY OR MANUFACTURE	
40				OF SCHEDULE 1, 2, OR 3	
41				IMITATION CONTROLLED	
42				SUBSTANCE	5

HB5391, As Passed House, December 6, 2001

House Bill No. 5391 20

1	333.7402(2)(C)	CS	F	DELIVERY OR MANUFACTURE	
2				OF IMITATION SCHEDULE 4	
3				CONTROLLED SUBSTANCE	4
4	333.7402(2)(D)	CS	G	DELIVERY OR MANUFACTURE	
5				OF IMITATION SCHEDULE 5	
6				CONTROLLED SUBSTANCE	2
7	333.7402(2)(E)	CS	C	DELIVERY OR MANUFACTURE	
8				OF CONTROLLED SUBSTANCE	
9				ANALOGUE	15
10	333.7403(2)(A)(i)	CS	A	POSSESSION OF 650 OR MORE	
11				GRAMS OF CERTAIN SCHED-	
12				ULE 1 OR 2 CONTROLLED	
13				SUBSTANCES BY JUVENILE	LIFE
14	333.7403(2)(A)(ii)	CS	A	POSSESSION OF 225 OR MORE	
15				BUT LESS THAN 650 GRAMS	
16				OF CERTAIN SCHEDULE 1	
17				OR 2 CONTROLLED	
18				SUBSTANCES	30
19	333.7403(2)(A)(iii)	CS	B	POSSESSION OF 50 OR MORE	
20				BUT LESS THAN 225 GRAMS	
21				OF CERTAIN SCHEDULE 1	
22				OR 2 CONTROLLED	
23				SUBSTANCES	20
24	333.7403(2)(A)(iv)	CS	G	POSSESSION OF 25 OR MORE	
25				BUT LESS THAN 50 GRAMS	
26				OF CERTAIN SCHEDULE 1	
27				OR 2 CONTROLLED	
28				SUBSTANCES	4
29	333.7403(2)(A)(v)	CS	G	POSSESSION OF LESS THAN	
30				25 GRAMS OF CERTAIN	
31				SCHEDULE 1 OR 2 CON-	
32				TROLLED SUBSTANCES	4
33	333.7403(2)(B)(i)	CS	D	POSSESSION OF	
34				METHAMPHETAMINE	10
35	333.7403(2)(B)(ii)	CS	G	POSSESSION OF CERTAIN	
36				SCHEDULE 1, 2, 3, OR 4	
37				CONTROLLED SUBSTANCES	
38				OR CONTROLLED SUB-	
39				STANCES ANALOGUE	2
40	333.7403(2)(E)	CS	H	POSSESSION OF OFFICIAL	
41				PRESCRIPTION FORM	1
42	333.7405(A)	CS	G	CONTROLLED SUBSTANCE	
43				VIOLATIONS BY LICENSEE	2

HB5391, As Passed House, December 6, 2001

House Bill No. 5391 21

1	333.7405(B)	CS	G	MANUFACTURING OR	
2				DISTRIBUTION VIOLATIONS	
3				BY LICENSEE	2
4	333.7405(C)	CS	G	REFUSING LAWFUL	
5				INSPECTION	2
6	333.7405(D)	CS	G	MAINTAINING DRUG HOUSE	2
7	333.7407(1)(A)	CS	G	CONTROLLED SUBSTANCE VIO-	
8				LATIONS BY LICENSEE	4
9	333.7407(1)(B)	CS	G	USE OF FICTITIOUS,	
10				REVOKED, OR SUSPENDED	
11				LICENSE NUMBER	4
12	333.7407(1)(C)	CS	G	OBTAINING CONTROLLED SUB-	
13				STANCE BY FRAUD	4
14	333.7407(1)(D)	CS	G	FALSE REPORTS UNDER CON-	
15				TROLLED SUBSTANCE	
16				ARTICLE	4
17	333.7407(1)(E)	CS	G	POSSESSION OF COUNTER-	
18				FEITING IMPLEMENTS	4
19	333.7407(1)(F)	CS	F	DISCLOSING OR OBTAINING	
20				PRESCRIPTION	
21				INFORMATION	4
22	333.7407(1)(G)	CS	F	POSSESSION OF COUNTERFEIT	
23				PRESCRIPTION FORM	4
24	333.7407(2)	CS	G	REFUSING TO FURNISH	
25				RECORDS UNDER CON-	
26				TROLLED SUBSTANCE	
27				ARTICLE	4
28	333.7410A	CS	G	CONTROLLED SUBSTANCE	
29				OFFENSE OR OFFENSE	
30				INVOLVING GBL IN OR	
31				NEAR A PARK	2

32 SEC. 13N. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 33 ENUMERATED IN CHAPTER 333 OF THE MICHIGAN COMPILED LAWS:

34	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT	MAX
35	333.10204(1)	PUB ORD	F	TRANSFERRING A HUMAN		
36				ORGAN FOR VALUABLE		
37				CONSIDERATION		4

HB5391, As Passed House, December 6, 2001

House Bill No. 5391 22

1	333.10204(4)	PUB SAF	F	REMOVAL OF A HUMAN ORGAN	
2				BY AN UNAUTHORIZED	
3				INDIVIDUAL	4
4	333.10205	PUB SAF	F	REMOVAL OF A HUMAN ORGAN	
5				IN AN UNAPPROVED	
6				FACILITY	4
7	333.13738(2)	PUB SAF	F	WASTE DISPOSAL VIOLATIONS	
8				-- SECOND OFFENSE	5
9	333.13738(3)	PUB SAF	F	DISPOSING OF WASTE --	
10				INDIFFERENCE TO HUMAN	
11				LIFE	2
12		PUB SAF	B	DISPOSING OF WASTE --	
13				EXTREME INDIFFERENCE TO	
14				HUMAN LIFE	20
15	333.16170(3)	PUB TRST	F	FALSE REPRESENTATION --	
16				HEALTH PROFESSIONAL	
17				RECOVERY PROGRAM	4
18	333.16294	PUB SAF	F	HEALTH PROFESSION --	
19				UNAUTHORIZED PRACTICE	4
20	333.17766A(2)	CS	F	POSSESSION OF STEROIDS --	
21				SUBSEQUENT OFFENSE	4
22	333.17766A(3)	CS	E	DELIVERY OR MANUFACTURE	
23				OF STEROIDS	7
24	333.17766A(4)	CS	G	DELIVERY OF IMITATION	
25				STEROIDS	7
26	333.17766C(2)	CS	G	POSSESSION OF MORE THAN	
27				10 GRAMS EPHEDRINE	2
28	333.20142(5)	PUB TRST	F	FALSE STATEMENT -- APPLI-	
29				CATION LICENSURE HEALTH	
30				FACILITY	4
31	333.21792	PUB TRST	G	NURSING HOMES -- REFERRAL	
32				FEEES/BRIBING OFFICIALS/	
33				ACCEPTING BRIBES	4

34 SEC. 13P. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 35 ENUMERATED IN CHAPTERS 338 TO 399 OF THE MICHIGAN COMPILED LAWS:

36 **M.C.L. CATEGORY CLASS DESCRIPTION STAT MAX**

HB5391, As Passed House, December 6, 2001

House Bill No. 5391 23

1	338.1053	PUB TRST	F	PRIVATE SECURITY BUSINESS	
2				AND SECURITY ALARM ACT	
3				VIOLATION	4
4	338.3434A(2)	PUB TRST	F	UNAUTHORIZED DISCLOSURE	
5				OF A SOCIAL SECURITY	
6				NUMBER -- SUBSEQUENT	
7				OFFENSE	4
8	388.936	PUB TRST	F	KNOWINGLY MAKING FALSE	
9				STATEMENT -- SCHOOL	
10				DISTRICT LOANS	4
11	388.962	PUB TRST	F	KNOWINGLY MAKING FALSE	
12				STATEMENT -- SCHOOL	
13				DISTRICT LOANS	4
14	Enacting section 1. This amendatory act takes effect				
15	February 1, 2002.				