

As passed the Senate February 14, 2002

REPRINT
SUBSTITUTE FOR
HOUSE BILL NO. 5391
(As passed the House, December 6, 2001)

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 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 ~~AS SET FORTH IN SECTIONS 13A TO 13P OF THIS CHAPTER.~~

5	M.C.L.	Category	Class	Description	Stat	Max
6	324.1608	Person	G	Resisting and obstructing 7 conservation officer		2
8	324.2157(1)(c)	Property	E	Damage to state property 9 involving \$1,000 to 10 \$20,000 or with prior 11 convictions		5

HB 5391, As Passed Senate, February 14, 2002

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

HB 5391, As Passed Senate, February 14, 2002

House Bill No. 5391

3

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

HB 5391, As Passed Senate, February 14, 2002

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		

HB 5391, As Passed Senate, February 14, 2002

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

HB 5391, As Passed Senate, February 14, 2002

House Bill No. 5391

6

1	324.82160(1)	Pub ord	H	False representation to	
3	2			obtain personal	
				information	4
4	324.82160(2)	Pub ord	G	False representation to	
5	6			obtain personal infor-	
7				mation -- second	
				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

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

HB 5391, As Passed Senate, February 14, 2002

House Bill No. 5391

8

1	333.7401(2)(g)	CS	D	Delivery or manufacture	
2				of prescription or	
3				counterfeit form (other	
4				than official)	7
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

HB 5391, As Passed Senate, February 14, 2002

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

HB 5391, As Passed Senate, February 14, 2002

House Bill No. 5391

10

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

HB 5391, As Passed Senate, February 14, 2002

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

HB 5391, As Passed Senate, February 14, 2002

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.	CATEGORY	CLASS	DESCRIPTION	STAT	MAX
17 324.3115(2)	PUB SAF	H	WASTE DISCHARGE VIOLATIONS	2	
18					
19 324.3115(4)	PUB SAF	G	WASTE DISCHARGE VIOLATIONS -- 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 POLLUTANTS -- CAUSING DEATH OR SERIOUS BODILY INJURY	6	
25					
26					
27					
28 324.5531(6)	PUB SAF	C	KNOWINGLY RELEASING POLLUTANTS -- RESULTING IN DEATH OR SERIOUS BODILY INJURY	15	
29					
30					
31					
32 324.8905(2)	PUB SAF	H	INFECTIOUS WASTE/PATHOLOGICAL WASTE/SHARPS -- LITTERING VIOLATION	2	
33					
34					
35					
36 324.8905(3)	PUB SAF	G	INFECTIOUS WASTE/PATHOLOGICAL WASTE/SHARPS --		
37					
38					

HB 5391, As Passed Senate, February 14, 2002

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:				

HB 5391, As Passed Senate, February 14, 2002

House Bill No. 5391

14

1 M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT	MAX
2 3 4 5	324.40118(11)	PUB ORD	G WILDLIFE CONSERVATION -- BUYING SELLING PRO- TECTED ANIMALS -- SUB- SEQUENT OFFENSE		4
6 7	324.51120(2)	PROPERTY	H REMOVING FOREST PRODUCTS OVER \$2,500		3
8 9	324.51512	PUB SAF	D WILLFULLY SETTING FOREST FIRES		10
10 11 12	324.52908(1)(C)	PROPERTY	E DAMAGE TO PLANT INVOLVING \$1,000 TO \$20,000 OR WITH PRIOR CONVICTIONS		5
13 14 15	324.52908(1)(D)	PROPERTY	D DAMAGE TO PLANT INVOLVING \$20,000 OR MORE OR WITH 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 20	324.61511	PUB TRST	G FALSE AFFIDAVIT UNDER NREPA		5
21 22	324.61521(1)	PUB TRST	G EVADING RULE UNDER NREPA		3
23	SEC. 13G. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES				
24	ENUMERATED IN CHAPTER 324 OF THE MICHIGAN COMPILED LAWS:				

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

HB 5391, As Passed Senate, February 14, 2002

House Bill No. 5391

15

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

HB 5391, As Passed Senate, February 14, 2002

House Bill No. 5391

16

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

HB 5391, As Passed Senate, February 14, 2002

House Bill No. 5391

17

1 SEC. 13J. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
2ENUMERATED 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 CONTRACTS	5	

6 SEC. 13K. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
7ENUMERATED 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 EMBRYO, FETUS FOR NON-THERAPEUTIC RESEARCH	5	
12 333.2688	PERSON	E	RESEARCH ON DEAD EMBRYO OR FETUS WITHOUT MOTHER'S CONSENT	5	
15 333.2689	PERSON	E	ABORTION TO OBTAIN EMBRYO	5	
16 333.2690	PERSON	E	SALE OR DELIVERY OF FETUS OR EMBRYO	5	
18 333.2813(3)	PUB TRST	F	UNAUTHORIZED DISCLOSURE OF SOCIAL SECURITY NUMBER -- SUBSEQUENT OFFENSE	4	
22 333.2835(9)	PUB TRST	G	DISCLOSING CONFIDENTIAL INFORMATION -- ABORTION	3	
24 333.5210	PERSON	F	AIDS -- SEXUAL PENETRATION WITH UNINFORMED PARTNER	4	
27 333.5661	PERSON	F	FRAUD RESULTING IN PATIENT DEATH	4	

29 SEC. 13M. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
30ENUMERATED 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 OF IMITATION CONTROLLED SUBSTANCE	2	

HB 5391, As Passed Senate, February 14, 2002

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

HB 5391, As Passed Senate, February 14, 2002

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

HB 5391, As Passed Senate, February 14, 2002

House Bill No. 5391

20

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

HB 5391, As Passed Senate, February 14, 2002

House Bill No. 5391

21

2	1	333.7405(B)	CS	G	MANUFACTURING OR DISTRIBUTION VIOLATIONS BY LICENSEE	2
3						
5	4	333.7405(C)	CS	G	REFUSING LAWFUL INSPECTION	2
6						
6		333.7405(D)	CS	G	MAINTAINING DRUG HOUSE	2
8	7	333.7407(1)(A)	CS	G	CONTROLLED SUBSTANCE VIO- LATIONS BY LICENSEE	4
11	10	9 333.7407(1)(B)	CS	G	USE OF FICTITIOUS, REVOKED, OR SUSPENDED LICENSE NUMBER	4
13	12	333.7407(1)(C)	CS	G	OBTAINING CONTROLLED SUB- STANCE BY FRAUD	4
16	14 15	333.7407(1)(D)	CS	G	FALSE REPORTS UNDER CON- TROLLED SUBSTANCE ARTICLE	4
18	17	333.7407(1)(E)	CS	G	POSSESSION OF COUNTER- FEITING IMPLEMENTS	4
21	19 20	333.7407(1)(F)	CS	F	DISCLOSING OR OBTAINING PRESCRIPTION INFORMATION	4
23	22	333.7407(1)(G)	CS	F	POSSESSION OF COUNTERFEIT PRESCRIPTION FORM	4
27	24 25 26	333.7407(2)	CS	G	REFUSING TO FURNISH RECORDS UNDER CON- TROLLED SUBSTANCE ARTICLE	4
31	28 29 30	333.7410A	CS	G	CONTROLLED SUBSTANCE OFFENSE OR OFFENSE INVOLVING GBL IN OR NEAR A PARK	2
32		SEC. 13N. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES				
34		ENUMERATED IN CHAPTER 333 OF THE MICHIGAN COMPILED LAWS:				
34		M.C.L.			CATEGORY CLASS DESCRIPTION	STAT MAX
37	35 36	333.10204(1)	PUB ORD	F	TRANSFERRING A HUMAN ORGAN FOR VALUABLE CONSIDERATION	4

HB 5391, As Passed Senate, February 14, 2002

House Bill No. 5391 as amended February 13, 2002 23

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