

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 405

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 12 of chapter XVII (MCL 777.12), as amended
by 2001 PA 104.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

| 4 | M.C.L. Max | Category | Class | Description | Stat |
|----|---------------|----------|-------|--------------------------------|------|
| 5 | 205.27(1)(a) | Pub | trst | G Failure to file or false tax | |
| 6 | | | | return or payment | 5 |
| 7 | 205.27(1)(b) | Pub | trst | G Aiding and abetting tax eva- | |
| 8 | | | | sion or filing false returns | 5 |
| 9 | 205.27(1)(c) | Pub | trst | G Making/permitting false tax | |
| 10 | | | | returns or payments | 5 |

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| Senate Bill No. 405 | | | | 2 | | |
| 1 | 205.27(3) | Pub trst | G | False tax returns/perjury | | 15 |
| 2 | 205.28(1)(e) | Pub trst | G | State employee compromising | | |
| 3 | | | | taxes | | 5 |
| 4 | 205.28(1)(f) | Pub trst | G | Unauthorized disclosure of tax | | |
| 5 | | | | information | | 5 |
| 6 | 205.428(2) | Pub trst | G | Tobacco products tax act | | |
| 7 | | | | violations | | 5 |
| 8 | 205.428(3) | Pub trst | G | Illegal sale of cigarettes or | | |
| 9 | | | | other tobacco products with | | |
| 10 | | | | wholesale price of \$250.00 | | |
| 11 | | | | or more | | 5 |
| 12 | 205.428(6) | Pub trst | F | Illegal tobacco stamp or | | |
| 13 | | | | tobacco stamp device | | 10 |
| 14 | 205.428(7) | Pub trst | G | Illegal vending machine | | |
| 15 | | | | license, disk, or marker | | 5 |
| 16 | 207.118a | Pub ord | G | Gasoline tax -- embezzlement | | |
| 17 | | | | over \$100 | | 10 |
| 18 | 207.119 | Pub trst | G | Gasoline or motor fuel tax | | |
| 19 | | | | violation | | 4 |
| 20 | 207.127c | Pub ord | G | Diesel fuel tax -- embezzle- | | |
| 21 | | | | ment over \$100 | | 10 |
| 22 | 207.754(3) | Pub trst | G | State treasurer -- municipal- | | |
| 23 | | | | ity tax -- divulging confi- | | |
| 24 | | | | dential information | | 5 |
| 25 | 252.311 | Property | H | Destroying a tree or shrub to | | |
| 26 | | | | make a sign more visible | | 2 |
| 27 | 257.233a(7) | Pub ord | G | Odometer tampering | | 5 |
| 28 | 257.254 | Property | E | Possessing stolen vehicle | | |
| 29 | | | | title | | 10 |
| 30 | 257.257(1) | Property | G | Altering or forging vehicle | | |
| 31 | | | | documents -- first offense | | 5 |
| 32 | 257.257(2) | Property | G | Altering or forging vehicle | | |
| 33 | | | | documents -- second offense | | 7 |
| 34 | 257.257(3) | Property | E | Altering or forging vehicle | | |
| 35 | | | | documents -- third or subse- | | |
| 36 | | | | quent offense | | 15 |

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| 1 2 | 257.309(6) | Pub ord | F | Corrupting an examining officer | 5 |
| 3 4 | 257.309(7) | Pub ord | F | Deviating from road test criteria | 5 |
| 5 6 7 | 257.309(8) | Pub ord | F | Forging, counterfeiting, or altering road test certification | 5 |
| 8 9 10 | 257.312b(6) | Pub ord | F | Corrupting a person or agency conducting a motorcycle driving test | 5 |
| 11 12 | 257.312b(7) | Pub ord | F | Deviating from motorcycle road test criteria | 5 |
| 13 14 15 | 257.312b(8) | Pub ord | F | Forging, counterfeiting, or altering motorcycle road test certification | 5 |
| 16 17 18 | 257.329(1) | Property | G | Possession/sale of stolen or counterfeit insurance certificates | 5 |
| 19 20 21 | 257.329(2) | Property | E | Possession/sale of stolen or counterfeit insurance certificates -- second offense | 7 |
| 22 23 24 25 | 257.329(3) | Property | E | Possession/sale of stolen or counterfeit insurance certificates -- third or subsequent offense | 15 |
| 26 27 | 257.601b(3) | Person | C | Moving violation causing death to construction worker | 15 |
| 28 29 30 | 257.601c(2) | Person | C | Moving violation causing death to operator of implement of husbandry | 15 |
| 31 32 | 257.602a(2) | Pub saf | G | Fleeing and eluding -- fourth degree | 2 |
| 33 34 | 257.602a(3) | Pub saf | E | Fleeing and eluding -- third degree | 5 |
| 35 36 | 257.602a(4) | Person | D | Fleeing and eluding -- second degree | 10 |
| 37 38 | 257.602a(5) | Person | C | Fleeing and eluding -- first degree | 15 |

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| 1 | 257.617 | Person | E | Failure to stop at scene of a serious personal injury accident | 5 |
| 2 | | | | | |
| 3 | | | | | |
| 4 | 257.625(4)(a) | Person | C | Operating a vehicle under the influence or while impaired causing death | 15 |
| 5 | | | | | |
| 6 | | | | | |
| 7 | 257.625(4)(b) | Person | B | Operating a vehicle under the influence or while impaired causing death to certain persons | 20 |
| 8 | | | | | |
| 9 | | | | | |
| 10 | | | | | |
| 11 | 257.625(5) | Person | E | Operating a vehicle under the influence or while impaired causing serious impairment | 5 |
| 12 | | | | | |
| 13 | | | | | |
| 14 | 257.625(7)(a)(ii) | Person | E | Operating a vehicle under the influence or while impaired with a minor in the vehicle -- subsequent offense | 5 |
| 15 | | | | | |
| 16 | | | | | |
| 17 | | | | | |
| 18 | 257.625(8)(c) | Pub saf | E | Operating a vehicle under the influence -- third or subsequent offense | 5 |
| 19 | | | | | |
| 20 | | | | | |
| 21 | 257.625(9)(b) | Person | E | Allowing a vehicle to be operated while under the influence or impaired causing death | 5 |
| 22 | | | | | |
| 23 | | | | | |
| 24 | | | | | |
| 25 | 257.625(9)(c) | Person | G | Allowing a vehicle to be operated while under the influence or impaired causing serious impairment | 2 |
| 26 | | | | | |
| 27 | | | | | |
| 28 | | | | | |
| 29 | 257.625(10)(c) | Pub saf | E | Impaired driving -- third or subsequent offense | 5 |
| 30 | | | | | |
| 31 | 257.625k(7) | Pub saf | D | Knowingly providing false information concerning an ignition interlock device | 10 |
| 32 | | | | | |
| 33 | | | | | |
| 34 | 257.625k(9) | Pub saf | D | Failure to report illegal ignition interlock device | 10 |
| 35 | | | | | |
| 36 | 257.625m(5) | Pub saf | E | Commercial drunk driving -- third or subsequent offense | 5 |
| 37 | | | | | |
| 38 | 257.653a(3) | Person | G | Failure to use due care and caution causing injury to emergency personnel | 2 |
| 39 | | | | | |
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|---------------------|-------------|----------|---|--|----|
| 1 | 257.653a(4) | Person | C | Failure to use due care and caution causing death to emergency personnel | 15 |
| 2 | | | | | |
| 3 | | | | | |
| 4 | 257.744a | Pub saf | D | False statement in citation -- perjury | 15 |
| 5 | | | | | |
| 6 | 257.902 | Pub saf | E | Motor vehicle code violations | 5 |
| 7 | 257.903(1) | Property | E | Motor vehicle code -- false certification -- first offense | 5 |
| 8 | | | | | |
| 9 | | | | | |
| 10 | 257.903(2) | Property | E | Motor vehicle code -- false certification -- second offense | 7 |
| 11 | | | | | |
| 12 | | | | | |
| 13 | 257.903(3) | Property | D | Motor vehicle code -- false certification -- third or subsequent offense | 15 |
| 14 | | | | | |
| 15 | | | | | |
| 16 | 257.904(4) | Person | C | Operating a vehicle without a license causing death | 15 |
| 17 | | | | | |
| 18 | 257.904(5) | Person | E | Operating a vehicle without a license causing serious impairment | 5 |
| 19 | | | | | |
| 20 | | | | | |
| 21 | 257.904(7) | Person | G | Allowing a vehicle to be operated without a license causing serious impairment | 2 |
| 22 | | | | | |
| 23 | | | | | |
| 24 | | Person | E | Allowing a vehicle to be operated without a license causing death | 5 |
| 25 | | | | | |
| 26 | | | | | |
| 27 | 257.1353(2) | Pub trst | H | Motor vehicle -- fail to record material matter -- subsequent offense | 2 |
| 28 | | | | | |
| 29 | | | | | |
| 30 | 257.1354(2) | Pub trst | H | Motor vehicle -- general violations -- subsequent offense | 2 |
| 31 | | | | | |
| 32 | | | | | |
| 33 | 257.1355 | Pub trst | H | Motor vehicle -- fail to record transaction/falsify records | 2 |
| 34 | | | | | |
| 35 | | | | | |
| 36 | 259.183 | Property | E | Aircraft -- unlawful taking or tampering | 5 |
| 37 | | | | | |
| 38 | 259.185(4) | Person | C | Operating or serving as crew of aircraft while under the influence causing death | 15 |
| 39 | | | | | |
| 40 | | | | | |

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| Senate Bill No. 405 | | | | 6 | |
|---------------------|--------------------|---------------------|--------------|---------------------------------------|---------------|
| 1 | 259.185(5) | Person | E | Operating or serving as crew | |
| 2 | | | | of aircraft while under the | |
| 3 | | | | influence causing serious | |
| 4 | | | | impairment | 5 |
| 5 | 259.185(8) | Pub saf | E | Operating or serving as crew | |
| 6 | | | | of aircraft while under the | |
| 7 | | | | influence -- third or subse- | |
| 8 | | | | quent offense | 5 |
| 9 | 285.82 | Pub trst | H | Grain dealers act violations | 5 |
| 10 | 285.279 | Pub trst | E | Falsely obtaining money -- | |
| 11 | | | | agricultural land | 10 |
| 12 | 285.279(C) | PROPERTY | E | FALSE PRETENSES UNDER MICHIGAN | |
| 13 | | | | FAMILY FARM DEVELOPMENT ACT | |
| 14 | | | | INVOLVING \$1,000 TO \$20,000 | |
| 15 | | | | OR WITH PRIOR CONVICTIONS | 5 |
| 16 | 285.279(D) | PROPERTY | D | FALSE PRETENSES UNDER MICHIGAN | |
| 17 | | | | FAMILY FARM DEVELOPMENT ACT | |
| 18 | | | | INVOLVING \$20,000 OR MORE OR | |
| 19 | | | | WITH PRIOR CONVICTIONS | 10 |
| 20 | 286.455(2) | Pub saf | G | Agriculture -- hazardous | |
| 21 | | | | substance | 5 |
| 22 | 286.929(4) | Pub trst | G | Organic products act | |
| 23 | | | | violations | 4 |
| 24 | 287.323(1) | Person | C | Dangerous animal causing death | 15 |
| 25 | 287.323(2) | Person | G | Dangerous animal causing seri- | |
| 26 | | | | ous injury | 4 |
| 27 | 287.679 | Pub ord | H | Dead animals -- third or sub- | |
| 28 | | | | sequent violation | 1 |
| 29 | 287.744(1) | Pub ord | G | Animal industry act violations | 5 |
| 30 | 287.855 | Pub saf | G | Agriculture -- contaminating | |
| 31 | | | | livestock/false | |
| 32 | | | | statement/violation of | |
| 33 | | | | quarantine | 5 |
| 34 | 287.967(5) | Pub ord | G | Cervidae producer violations | 4 |
| 35 | 288.223 | Pub saf | G | Sale or labeling of oleomarga- | |
| 36 | | | | rine violations | 3 |
| 37 | 288.257 | Pub saf | G | Margarine violations | 3 |

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| Senate Bill No. 405 | | | | 7 | | |
|---------------------|--|----------|---|--------------------------------|--|---|
| 1 | 288.284 | Pub trst | H | Selling falsely branded cheese | | 2 |
| 2 | 289.5107(2) | Pub saf | F | Adulterated, misbranded, or | | |
| 3 | | | | falsely identified food | | 4 |
| 4 | 290.629(1) | Person | G | Weights and measures -- | | |
| 5 | | | | assaults enforcement officer | | 2 |
| 6 | 290.631(3) | Pub trst | G | Weights and measures | | 5 |
| 7 | 290.650 | Person | G | Motor fuels -- | | |
| 8 | | | | assaulting/obstructing | | |
| 9 | | | | director or authorized | | |
| 10 | | | | representative | | 2 |
| 11 | 290.650b(3) | Pub trst | H | Motor fuels violations | | 2 |
| 12 | Enacting section 1. This amendatory act takes effect | | | | | |
| 13 | January 1, 2002. | | | | | |
| 14 | Enacting section 2. This amendatory act does not take | | | | | |
| 15 | effect unless Senate Bill No. 404 of the 91st Legislature is | | | | | |
| 16 | enacted into law. | | | | | |