

**SB 405, As Passed Senate, May 10, 2001**

**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 2000 PA 459.

**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:

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

**SB 405, As Passed Senate, May 10, 2001**

Senate Bill No. 405

2

<b>1</b>	205.27(3)	Pub trst	G	False tax returns/perjury	15
<b>2</b>	205.28(1)(e)	Pub trst	G	State employee compromising taxes	5
<b>3</b>					
<b>4</b>	205.28(1)(f)	Pub trst	G	Unauthorized disclosure of tax information	5
<b>5</b>					
<b>6</b>	205.428(2)	Pub trst	G	Tobacco products tax act violations	5
<b>7</b>					
<b>8</b>	205.428(3)	Pub trst	G	Illegal sale of cigarettes or other tobacco products with wholesale price of \$250.00 or more	5
<b>9</b>					
<b>10</b>					
<b>11</b>					
<b>12</b>	205.428(6)	Pub trst	F	Illegal tobacco stamp or tobacco stamp device	10
<b>13</b>					
<b>14</b>	205.428(7)	Pub trst	G	Illegal vending machine license, disk, or marker	5
<b>15</b>					
<b>16</b>	207.118a	Pub ord	G	Gasoline tax -- embezzlement over \$100	10
<b>17</b>					
<b>18</b>	207.119	Pub trst	G	Gasoline or motor fuel tax violation	4
<b>19</b>					
<b>20</b>	207.127c	Pub ord	G	Diesel fuel tax -- embezzlement over \$100	10
<b>21</b>					
<b>22</b>	207.754(3)	Pub trst	G	State treasurer -- municipality tax -- divulging confidential information	5
<b>23</b>					
<b>24</b>					
<b>25</b>	252.311	Property	H	Destroying a tree or shrub to make a sign more visible	2
<b>26</b>					
<b>27</b>	257.233a(7)	Pub ord	G	Odometer tampering	5
<b>28</b>	257.254	Property	E	Possessing stolen vehicle title	10
<b>29</b>					
<b>30</b>	257.257(1)	Property	G	Altering or forging vehicle documents -- first offense	5
<b>31</b>					
<b>32</b>	257.257(2)	Property	G	Altering or forging vehicle documents -- second offense	7
<b>33</b>					
<b>34</b>	257.257(3)	Property	E	Altering or forging vehicle documents -- third or subsequent offense	15
<b>35</b>					
<b>36</b>					

**SB 405, As Passed Senate, May 10, 2001**

Senate Bill No. 405

3

<b>1</b>	257.309(6)	Pub ord	F	Corrupting an examining officer	5
<b>2</b>					
<b>3</b>	257.309(7)	Pub ord	F	Deviating from road test criteria	5
<b>4</b>					
<b>5</b>	257.309(8)	Pub ord	F	Forging, counterfeiting, or altering road test certification	5
<b>6</b>					
<b>7</b>					
<b>8</b>	257.312b(6)	Pub ord	F	Corrupting a person or agency conducting a motorcycle driving test	5
<b>9</b>					
<b>10</b>					
<b>11</b>	257.312b(7)	Pub ord	F	Deviating from motorcycle road test criteria	5
<b>12</b>					
<b>13</b>	257.312b(8)	Pub ord	F	Forging, counterfeiting, or altering motorcycle road test certification	5
<b>14</b>					
<b>15</b>					
<b>16</b>	257.329(1)	Property	G	Possession/sale of stolen or counterfeit insurance certificates	5
<b>17</b>					
<b>18</b>					
<b>19</b>	257.329(2)	Property	E	Possession/sale of stolen or counterfeit insurance certificates -- second offense	7
<b>20</b>					
<b>21</b>					
<b>22</b>	257.329(3)	Property	E	Possession/sale of stolen or counterfeit insurance certificates -- third or subsequent offense	15
<b>23</b>					
<b>24</b>					
<b>25</b>					
<b>26</b>	257.602a(2)	Pub saf	G	Fleeing and eluding -- fourth degree	2
<b>27</b>					
<b>28</b>	257.602a(3)	Pub saf	E	Fleeing and eluding -- third degree	5
<b>29</b>					
<b>30</b>	257.602a(4)	Person	D	Fleeing and eluding -- second degree	10
<b>31</b>					
<b>32</b>	257.602a(5)	Person	C	Fleeing and eluding -- first degree	15
<b>33</b>					
<b>34</b>	257.617	Person	E	Failure to stop at scene of a serious personal injury accident	5
<b>35</b>					
<b>36</b>					
<b>37</b>	257.625(4)(a)	Person	C	Operating a vehicle under the influence or while impaired causing death	15
<b>38</b>					
<b>39</b>					

SB 405, As Passed Senate, May 10, 2001

Senate Bill No. 405

4

1	257.625(4)(b)	Person	B	Operating a vehicle under the influence or while impaired causing death to emergency personnel	20
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4					
5	257.625(5)	Person	E	Operating a vehicle under the influence or while impaired causing serious impairment	5
6					
7					
8	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
9					
10					
11					
12	257.625(8)(c)	Pub saf	E	Operating a vehicle under the influence -- third or subsequent offense	5
13					
14					
15	257.625(9)(b)	Person	E	Allowing a vehicle to be operated while under the influence or impaired causing death	5
16					
17					
18					
19	257.625(9)(c)	Person	G	Allowing a vehicle to be operated while under the influence or impaired causing serious impairment	2
20					
21					
22					
23	257.625(10)(c)	Pub saf	E	Impaired driving -- third or subsequent offense	5
24					
25	257.625k(7)	Pub saf	D	Knowingly providing false information concerning an ignition interlock device	10
26					
27					
28	257.625k(9)	Pub saf	D	Failure to report <del>that an ignition interlock device does not meet legal requirements</del> ILLEGAL IGNITION INTERLOCKING DEVICE	10
29					
30					
31					
32					
33	257.625m(5)	Pub saf	E	Commercial drunk driving -- third or subsequent offense	5
34					
35	257.653a(3)	Person	G	Failure to use due care and caution causing injury to emergency personnel	2
36					
37					
38	257.653a(4)	Person	C	Failure to use due care and caution causing death to emergency personnel	15
39					
40					
41	257.744a	Pub saf	D	False statement in citation -- perjury	15
42					

**SB 405, As Passed Senate, May 10, 2001**

	Senate Bill No. 405		5		
1	257.902	Pub saf	E	Motor vehicle code violations	5
2	257.903(1)	Property	E	Motor vehicle code -- false	
3				certification -- first	
4				offense	5
5	257.903(2)	Property	E	Motor vehicle code -- false	
6				certification -- second	
7				offense	7
8	257.903(3)	Property	D	Motor vehicle code -- false	
9				certification -- third or	
10				subsequent offense	15
11	257.904(4)	Person	C	Operating a vehicle without a	
12				license causing death	15
13	257.904(5)	Person	E	Operating a vehicle without a	
14				license causing serious	
15				impairment	5
16	257.904(7)	Person	G	Allowing a vehicle to be oper-	
17				ated without a license caus-	
18				ing serious impairment	2
19		Person	E	Allowing a vehicle to be oper-	
20				ated without a license caus-	
21				ing death	5
22	257.1353(2)	Pub trst	H	Motor vehicle -- fail to	
23				record material matter --	
24				subsequent offense	2
25	257.1354(2)	Pub trst	H	Motor vehicle -- general vio-	
26				lations -- subsequent	
27				offense	2
28	257.1355	Pub trst	H	Motor vehicle -- fail to	
29				record transaction/falsify	
30				records	2
31	259.183	Property	E	Aircraft -- unlawful taking or	
32				tampering	5
33	259.185(4)	Person	C	Operating or serving as crew	
34				of aircraft while under the	
35				influence causing death	15
36	259.185(5)	Person	E	Operating or serving as crew	
37				of aircraft while under the	
38				influence causing serious	
39				impairment	5

SB 405, As Passed Senate, May 10, 2001

Senate Bill No. 405

6

1	259.185(8)	Pub saf	E	Operating or serving as crew	
2				of aircraft while under the	
3				influence -- third or subse-	
4				quent offense	5
5	285.82	Pub trst	H	Grain dealers act violations	5
6	<del>285.279</del>	<del>Pub trst</del>	<del>E</del>	<del>Falsely obtaining money ==</del>	
7				<del>agricultural land</del>	<del>10</del>
8	285.279(C)	PROPERTY	G	FALSE PRETENSES UNDER MICHIGAN	
9				FAMILY FARM DEVELOPMENT ACT	
10				INVOLVING \$1,000 TO \$20,000	
11				OR WITH PRIOR CONVICTIONS	5
12	285.279(D)	PROPERTY	E	FALSE PRETENSES UNDER MICHIGAN	
13				FAMILY FARM DEVELOPMENT ACT	
14				INVOLVING \$20,000 OR MORE OR	
15				WITH PRIOR CONVICTIONS	10
16	286.455(2)	Pub saf	G	Agriculture -- hazardous	
17				substance	5
18	286.929(4)	Pub trst	G	Organic products act	
19				violations	4
20	<del>287.77(1)</del>	<del>Pub saf</del>	<del>H</del>	<del>Agriculture == livestock</del>	
21				<del>condemnation</del>	<del>4</del>
22	287.323(1)	Person	C	Dangerous animal causing death	15
23	287.323(2)	Person	G	Dangerous animal causing seri-	
24				ous injury	4
25	287.679	Pub ord	H	Dead animals -- THIRD OR SUB-	
26				SEQUENT OFFENSE	1
27	287.744(1)	Pub ord	G	Animal industry act violations	5
28	287.855	Pub saf	G	Agriculture -- contaminating	
29				livestock/false	
30				statement/violation of	
31				quarantine	5
32	287.967(5)	Pub ord	G	Cervidae producer <del>violation</del>	
33				VIOLATIONS	4
34	288.223	Pub saf	G	Sale or labeling of oleomarga-	
35				rine violations	3
36	288.257	Pub saf	G	Margarine violations	3
37	288.284	Pub trst	H	Selling falsely branded cheese	2

**SB 405, As Passed Senate, May 10, 2001**

Senate Bill No. 405

7

1	289.5107(2)	Pub saf	F	Adulterated, misbranded, or	
2				falsely identified food	4
3	290.629(1)	Person	G	Weights and measures --	
4				assaults enforcement officer	2
5	290.631(3)	Pub trst	G	Weights and measures	5
6	290.650	Person	G	Motor fuels --	
7				assaulting/obstructing	
8				director or authorized	
9				representative	2
10	290.650b(3)	Pub trst	H	Motor fuels violations	2
11	Enacting section 1. This amendatory act takes effect				
12	September 1, 2001.				
13	Enacting section 2. This amendatory act does not take				
14	effect unless Senate Bill No. 404 of the 91st Legislature is				
15	enacted into law.				