

HOUSE BILL No. 5508

December 12, 2001, Introduced by Reps. Frank, Koetje, Toy, Julian, Bishop, Caul, Mead, Gosselin, Gilbert, Faunce, Meyer, Van Woerkom, Woronchak, Birkholz, Hummel, Newell, Voorhees, Tabor, Middaugh, Ruth Johnson, Schauer, Ehardt, George, Shackleton, Lockwood, Kowall, Jelinek, Rocca, Neumann, Bernero, Allen, Sheltroun, DeVuyst, Callahan, Hager, Pumford, Zelenko, Lipsey, Phillips, Jacobs, Basham, Kuipers, Richardville, Bisbee, Pappageorge, McConico, Whitmer, Cassis and Shulman and referred to the Committee on Criminal Justice.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 1997 PA 75.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 159g. As used in this chapter, "racketeering" means
2 committing, attempting to commit, conspiring to commit, or aiding
3 or abetting, soliciting, coercing, or intimidating a person to
4 commit an offense for financial gain, involving any of the
5 following:

6 (a) A felony violation of section 8 of the tobacco products
7 tax act, 1993 PA 327, MCL 205.428, concerning tobacco product
8 taxes, or section 9 of former 1947 PA 265, concerning cigarette
9 taxes.

1 (b) A violation of section 11151(3) of the natural resources
2 and environmental protection act, 1994 PA 451, MCL 324.11151, or
3 section 48(3) of former 1979 PA 64, concerning felonious disposal
4 of hazardous waste.

5 (c) A felony violation of part 74 or section 17766a of the
6 public health code, 1978 PA 368, MCL 333.7401 to 333.7461 and
7 ~~333.7766a~~ 333.17766A, concerning controlled substances or
8 androgenic anabolic steroids.

9 (d) A felony violation of section 60 of the social welfare
10 act, 1939 PA 280, MCL 400.60, concerning welfare fraud.

11 (e) A violation of section 4, 5, or 7 of the medicaid false
12 claim act, 1977 PA 72, MCL 400.604, 400.605, and 400.607, con-
13 cerning medicaid fraud.

14 (f) A felony violation of section 18 of the Michigan gaming
15 control and revenue act, the Initiated Law of 1996, MCL 432.218,
16 concerning the business of gaming.

17 (g) A violation of section 409 of the uniform securities
18 act, 1964 PA 265, MCL 451.809, concerning securities fraud.

19 (h) A violation of section 5 or 7 of 1978 PA 33, MCL 722.675
20 and 722.677, concerning the display or dissemination of obscene
21 matter to minors.

22 (i) A felony violation of section 72, 73, 74, 75, or 77,
23 concerning arson.

24 (j) A violation of section 93, 94, 95, or 96, concerning
25 bank bonds, bills, notes, and property.

26 (k) A violation of section 110 or 110a, concerning breaking
27 and entering or home invasion.

1 (l) A violation of section 117, 118, 119, 120, 121, or 124,
2 concerning bribery.

3 (m) A violation of section 120a, concerning jury tampering.

4 (n) A violation of section 145c, concerning child sexually
5 abusive activity or material.

6 (o) A felony violation of section 157n, 157p, 157q, 157r,
7 157s, 157t, or 157u, concerning credit cards or financial trans-
8 action devices.

9 (p) A felony violation of section 174, 175, 176, 180, 181,
10 or 182, concerning embezzlement.

11 (q) A felony violation of chapter XXXIII, concerning explo-
12 sives and bombs.

13 (r) A violation of section 213, concerning extortion.

14 (s) A felony violation of section 218, concerning false
15 pretenses.

16 (t) A felony violation of section 223(2), 224(1)(a), (b), or
17 (c), 224b, 224c, 224e(1), 226, 227, 234a, 234b, or 237a, concern-
18 ing firearms or dangerous weapons.

19 (u) A felony violation of chapter XLI, concerning forgery
20 and counterfeiting.

21 (v) A violation of section 271, 272, 273, or 274, concerning
22 securities fraud.

23 (w) A violation of section 300a, concerning food stamps or
24 coupons or access devices.

25 (x) A violation of section 301, 302, 303, 304, 305, 305a, or
26 313, concerning gambling.

1 (y) A violation of section 316 or 317, concerning murder.

2 (z) A violation of section 330, 331, or 332, concerning
3 horse racing.

4 (aa) A violation of section 349, 349a, or 350, concerning
5 kidnapping.

6 (bb) A felony violation of chapter LII, concerning larceny.

7 (cc) A violation of section 411k, concerning money
8 laundering.

9 (dd) A violation of section 422, 423, 424, or 425, concern-
10 ing perjury or subornation of perjury.

11 (ee) A violation of section 452, 455, 457, 458, or 459, con-
12 cerning prostitution.

13 (ff) A violation of section 529, 529a, 530, or 531, concern-
14 ing robbery.

15 (gg) A felony violation of section 535, 535a, or 536a, con-
16 cerning stolen, embezzled, or converted property.

17 (HH) A VIOLATION OF CHAPTER LXXXIII-A, CONCERNING TERRORISM.

18 (II) ~~(hh)~~ A violation of section 5 of 1984 PA 343, MCL
19 752.365, concerning obscenity.

20 (JJ) ~~(ii)~~ An offense committed within this state or
21 another state that constitutes racketeering activity as defined
22 in section 1961(1) of title 18 of the United States Code, 18
23 U.S.C. 1961.

24 (KK) ~~(jj)~~ An offense committed within this state or
25 another state in violation of a law of the United States that is
26 substantially similar to a violation listed in subdivisions (a)
27 through ~~(hh)~~ (II).

1 (11) ~~(kk)~~ An offense committed in another state in
2 violation of a statute of that state that is substantially simi-
3 lar to a violation listed in subdivisions (a) through ~~(hh)~~
4 (II).

5 Enacting section 1. This amendatory act does not take
6 effect unless Senate Bill No. _____ or House Bill No. 5495
7 (request no. 05920'01**) of the 91st Legislature is enacted into
8 law.