

HOUSE BILL No. 4797

May 17, 2005, Introduced by Reps. Elsenheimer, Van Regenmorter, Taub, David Law, McConico and Newell and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending section 1a of chapter IV (MCL 764.1a), as amended by
1994 PA 70.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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CHAPTER IV

Sec. 1a. (1) A magistrate shall issue a warrant upon
presentation of a proper complaint alleging the commission of an
offense and a finding of reasonable cause to believe that the
individual accused in the complaint committed that offense. The
complaint shall be sworn to before a magistrate or clerk.

(2) EXCEPT AS PROVIDED IN SUBSECTION (4), FOR ALL COMPLAINTS

1 ALLEGING THE COMMISSION OF A FELONY FILED AFTER JANUARY 1, 2006,
2 THE PROSECUTING ATTORNEY MAY FILE EITHER A COMPLAINT FOR WHICH AN
3 EXAMINATION IS TO BE PROVIDED UNDER SECTION 1 OF CHAPTER VI OR A
4 COMPLAINT FOR WHICH AN EXAMINATION IS NOT TO BE PROVIDED UNDER
5 SECTION 1 OF CHAPTER VI. THIS SUBSECTION DOES NOT PROHIBIT THE
6 PROSECUTING ATTORNEY FROM FILING AN INDICTMENT UNDER CHAPTER VII.

7 (3) IF THE PROSECUTING ATTORNEY FILES A COMPLAINT UNDER
8 SUBSECTION (2) FOR WHICH AN EXAMINATION IS NOT TO BE PROVIDED, THE
9 PROSECUTING ATTORNEY SHALL STATE ON THE COMPLAINT THAT THE
10 REQUIREMENTS FOR AN EXAMINATION UNDER SECTION 1 OF CHAPTER VI DO
11 NOT APPLY.

12 (4) EXCEPT AS PROVIDED IN SECTION 42(4) OF CHAPTER VII, AN
13 EXAMINATION UNDER SECTION 1 OF CHAPTER VI SHALL BE PROVIDED IF THE
14 COMPLAINT ALLEGES A VIOLATION OF ANY OF THE FOLLOWING:

15 (A) SECTION 601B(3) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,
16 MCL 257.601B (MOVING VIOLATION CAUSING DEATH OF PERSON IN WORK
17 ZONE).

18 (B) SECTION 601C(2) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,
19 MCL 257.601C (MOVING VIOLATION CAUSING DEATH OF OPERATOR OF
20 IMPLEMENT OF HUSBANDRY).

21 (C) SECTION 602A(4) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,
22 MCL 257.602A (SECOND DEGREE FLEEING AND ELUDING).

23 (D) SECTION 602A(5) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,
24 MCL 257.602A (FIRST DEGREE FLEEING AND ELUDING).

25 (E) SECTION 616A(2)(D) OF THE MICHIGAN VEHICLE CODE, 1949 PA
26 300, MCL 257.616A (USING SIGNAL PREEMPTION DEVICE CAUSING SERIOUS
27 IMPAIRMENT).

1 (F) SECTION 616A(2)(E) OF THE MICHIGAN VEHICLE CODE, 1949 PA
2 300, MCL 257.616A (USING SIGNAL PREEMPTION DEVICE CAUSING DEATH).

3 (G) SECTION 617(3) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,
4 MCL 257.617 (FAILURE TO STOP AT SCENE OF ACCIDENT RESULTING IN
5 DEATH WHEN AT FAULT).

6 (H) SECTION 625(4)(A) OF THE MICHIGAN VEHICLE CODE, 1949 PA
7 300, MCL 257.625 (OPERATING VEHICLE WHILE INTOXICATED OR IMPAIRED
8 CAUSING DEATH).

9 (I) SECTION 625(4)(B) OF THE MICHIGAN VEHICLE CODE, 1949 PA
10 300, MCL 257.625 (OPERATING VEHICLE WHILE INTOXICATED OR IMPAIRED
11 CAUSING DEATH TO EMERGENCY PERSONNEL).

12 (J) SECTION 653A(4) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,
13 MCL 257.653A (FAILURE TO USE DUE CARE AND CAUTION CAUSING DEATH TO
14 EMERGENCY PERSONNEL).

15 (K) SECTION 904(4) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,
16 MCL 257.904 (OPERATING A VEHICLE WHILE LICENSE IS SUSPENDED,
17 REVOKED, OR DENIED CAUSING DEATH).

18 (L) SECTION 185(4) OF THE AERONAUTICS CODE OF THE STATE OF
19 MICHIGAN, 1945 PA 327, MCL 259.185 (OPERATING OR SERVING AS CREW OF
20 AIRCRAFT WHILE UNDER THE INFLUENCE CAUSING DEATH).

21 (M) SECTION 3(1) OF 1988 PA 429, MCL 287.323 (DANGEROUS ANIMAL
22 CAUSING DEATH).

23 (N) SECTION 5531(6) OF THE NATURAL RESOURCES AND ENVIRONMENTAL
24 PROTECTION ACT, 1994 PA 451, MCL 324.5531 (KNOWINGLY RELEASING
25 POLLUTANTS CAUSING DEATH OR SERIOUS BODILY INJURY).

26 (O) SECTION 51512 OF THE NATURAL RESOURCES AND ENVIRONMENTAL
27 PROTECTION ACT, 1994 PA 451, MCL 324.51512 (WILLFULLY SETTING FIRE

1 TO FOREST LAND OR PLACING OBJECT TO CAUSE FIRE TO FOREST LAND).

2 (P) SECTION 80134A(3) OF THE NATURAL RESOURCES AND
3 ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.80134A (FAILURE
4 TO STOP AT SCENE OF MARINE ACCIDENT CAUSING DEATH WHEN AT FAULT).

5 (Q) SECTION 80176(4) OF THE NATURAL RESOURCES AND
6 ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.80176 (OPERATING
7 A VESSEL UNDER THE INFLUENCE CAUSING DEATH).

8 (R) SECTION 81134(7) OF THE NATURAL RESOURCES AND
9 ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.81134 (OPERATING
10 AN ORV UNDER THE INFLUENCE CAUSING DEATH).

11 (S) SECTION 82127(4) OF THE NATURAL RESOURCES AND
12 ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.82127 (OPERATING
13 A SNOWMOBILE UNDER THE INFLUENCE CAUSING DEATH).

14 (T) SECTION 7401(2)(A)(i) OF THE PUBLIC HEALTH CODE, 1978 PA
15 368, MCL 333.7401 (DELIVERY OR MANUFACTURE OF 1,000 OR MORE GRAMS
16 OF CERTAIN SCHEDULE 1 OR 2 CONTROLLED SUBSTANCES).

17 (U) SECTION 7401(2)(A)(ii) OF THE PUBLIC HEALTH CODE, 1978 PA
18 368, MCL 333.7401 (DELIVERY OR MANUFACTURE OF 450 OR MORE BUT LESS
19 THAN 1,000 GRAMS OF CERTAIN SCHEDULE 1 OR 2 CONTROLLED SUBSTANCES).

20 (V) SECTION 7401(2)(A)(iii) OF THE PUBLIC HEALTH CODE, 1978 PA
21 368, MCL 333.7401 (DELIVERY OR MANUFACTURE OF 50 OR MORE BUT LESS
22 THAN 450 GRAMS OF CERTAIN SCHEDULE 1 OR 2 CONTROLLED SUBSTANCES).

23 (W) SECTION 7401(2)(A)(iv) OF THE PUBLIC HEALTH CODE, 1978 PA
24 368, MCL 333.7401 (DELIVERY OR MANUFACTURE OF LESS THAN 50 GRAMS OF
25 CERTAIN SCHEDULE 1 OR 2 CONTROLLED SUBSTANCES).

26 (X) SECTION 7401(2)(B)(i) OF THE PUBLIC HEALTH CODE, 1978 PA
27 368, MCL 333.7401 (DELIVERY OR MANUFACTURE OF 3,4-

1 METHYLENEDIOSYMMETHAMPHETAMINE OR METHAMPHETAMINE).

2 (Y) SECTION 7401C(2)(B) OF THE PUBLIC HEALTH CODE, 1978 PA
3 368, MCL 333.7401C (OPERATING OR MAINTAINING CONTROLLED SUBSTANCE
4 LABORATORY IN PRESENCE OF A MINOR).

5 (Z) SECTION 7401C(2)(C) OF THE PUBLIC HEALTH CODE, 1978 PA
6 368, MCL 333.7401C (OPERATING OR MAINTAINING CONTROLLED SUBSTANCE
7 LABORATORY INVOLVING HAZARDOUS WASTE).

8 (AA) SECTION 7401C(2)(D) OF THE PUBLIC HEALTH CODE, 1978 PA
9 368, MCL 333.7401C (OPERATING OR MAINTAINING CONTROLLED SUBSTANCE
10 LABORATORY NEAR RESIDENCE, BUSINESS, SCHOOL, OR HOUSE OF WORSHIP).

11 (BB) SECTION 7401C(2)(E) OF THE PUBLIC HEALTH CODE, 1978 PA
12 368, MCL 333.7401C (OPERATING OR MAINTAINING CONTROLLED SUBSTANCE
13 LABORATORY INVOLVING POSSESSION, PLACEMENT, OR USE OF FIREARM OR
14 OTHER HARMFUL DEVICE).

15 (CC) SECTION 7401C(2)(F) OF THE PUBLIC HEALTH CODE, 1978 PA
16 368, MCL 333.7401C (OPERATING OR MAINTAINING CONTROLLED SUBSTANCE
17 LABORATORY INVOLVING METHAMPHETAMINE).

18 (DD) SECTION 7403(2)(A)(i) OF THE PUBLIC HEALTH CODE, 1978 PA
19 368, MCL 333.7403 (POSSESSION OF 1,000 OR MORE GRAMS OF CERTAIN
20 SCHEDULE 1 OR 2 CONTROLLED SUBSTANCES).

21 (EE) SECTION 7403(2)(A)(ii) OF THE PUBLIC HEALTH CODE, 1978 PA
22 368, MCL 333.7403 (POSSESSION OF 450 OR MORE BUT LESS THAN 1,000
23 GRAMS OF CERTAIN SCHEDULE 1 OR 2 CONTROLLED SUBSTANCES).

24 (FF) SECTION 7403(2)(A)(iii) OF THE PUBLIC HEALTH CODE, 1978 PA
25 368, MCL 333.7403 (POSSESSION OF 50 OR MORE BUT LESS THAN 450 GRAMS
26 OF CERTAIN SCHEDULE 1 OR 2 CONTROLLED SUBSTANCES).

27 (GG) SECTION 13738(3) OF THE PUBLIC HEALTH CODE, 1978 PA 368,

1 MCL 333.13738 (POSSESSING, GENERATING, OR DISPOSING OF WASTE WITH
2 EXTREME INDIFFERENCE TO HUMAN LIFE).

3 (HH) SECTION 17764(6) OF THE PUBLIC HEALTH CODE, 1978 PA 368,
4 MCL 333.17764 (ADULTERATING, MISBRANDING, REMOVING, OR SUBSTITUTING
5 A DRUG OR DEVICE CAUSING DEATH OR SELLING OR MANUFACTURING FOR SALE
6 ADULTERATED OR MISBRANDED DRUG OR DEVICE CAUSING DEATH).

7 (II) SECTION 122(3) OF THE YOUTH EMPLOYMENT STANDARDS ACT,
8 1978 PA 90, MCL 409.122 (EMPLOYING CHILD IN SEXUALLY ABUSIVE
9 ACTIVITY).

10 (JJ) SECTION 701(2) OF THE MICHIGAN LIQUOR CONTROL CODE, 1998
11 PA 58, MCL 436.1701 (SELLING OR FURNISHING ALCOHOLIC LIQUOR TO A
12 MINOR CAUSING DEATH).

13 (KK) SECTION 257(1) OF THE RAILROAD CODE OF 1993, 1993 PA 354,
14 MCL 462.257 (DERAILING OR ATTEMPTING TO DERAIL TRAIN OR ENDANGERING
15 RAILROAD WORKERS OR PASSENGERS).

16 (LL) SECTION 353(6) OF THE RAILROAD CODE OF 1993, 1993 PA 354,
17 MCL 462.353 (OPERATING A LOCOMOTIVE UNDER THE INFLUENCE OR WHILE
18 IMPAIRED CAUSING DEATH).

19 (MM) SECTION 36 OF 1867 PA 35, MCL 472.36 (OBSTRUCTING TRACK
20 OF STREET RAILWAY OR ENDANGERING PASSENGER CAUSING INJURY).

21 (NN) SECTION 11 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
22 750.11 (TAKING A WOMAN AND COMPELLING HER TO MARRY).

23 (OO) SECTION 13 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
24 750.13 (ENTICING FEMALE UNDER 16 FOR IMMORAL PURPOSES).

25 (PP) SECTION 14 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
26 750.14 (ADMINISTERING DRUG TO PROCURE MISCARRIAGE CAUSING DEATH OF
27 PREGNANT WOMAN).

1 (QQ) SECTION 16(4) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
2 MCL 750.16 (ADULTERATING, MISBRANDING, REMOVING, OR SUBSTITUTING A
3 DRUG OR MEDICINE RESULTING IN DEATH).

4 (RR) SECTION 18(6) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
5 MCL 750.18 (MIXING A COLOR, STAIN, OR POWDER IN A DRUG OR MEDICINE
6 THAT AFFECTS QUALITY OR POTENCY RESULTING IN DEATH OR SELLING OR
7 MANUFACTURING FOR SALE DRUG MIXED WITH COLOR, STAIN, OR POWDER THAT
8 AFFECTS POTENCY CAUSING DEATH).

9 (SS) SECTION 49(8) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
10 MCL 750.49 (INCITING FIGHTING ANIMAL CAUSING DEATH).

11 (TT) SECTION 49(10) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
12 MCL 750.49 (FIGHTING ANIMAL ATTACKING WITHOUT PROVOCATION CAUSING
13 DEATH).

14 (UU) SECTION 72 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
15 750.72 (BURNING OF DWELLING HOUSE).

16 (VV) SECTION 80 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
17 750.80 (SETTING FIRE TO MINE OR MINING MATERIAL).

18 (WW) SECTION 81D(3) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
19 MCL 750.81D (ASSAULTING, RESISTING, OR OBSTRUCTING CERTAIN PERSONS
20 CAUSING SERIOUS IMPAIRMENT).

21 (XX) SECTION 81D(4) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
22 MCL 750.81 (ASSAULTING, RESISTING, OR OBSTRUCTING CERTAIN PERSONS
23 CAUSING DEATH).

24 (YY) SECTION 83 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
25 750.83 (ASSAULT WITH INTENT TO MURDER).

26 (ZZ) SECTION 84 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
27 750.84 (ASSAULT WITH INTENT TO DO GREAT BODILY HARM LESS THAN

1 MURDER).

2 (AAA) SECTION 86 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
3 750.86 (ASSAULT WITH INTENT TO MAIM).

4 (BBB) SECTION 87 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
5 750.87 (ASSAULT WITH INTENT TO COMMIT A FELONY).

6 (CCC) SECTION 88 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
7 750.88 (ASSAULT WITH INTENT TO COMMIT UNARMED ROBBERY).

8 (DDD) SECTION 89 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
9 750.89 (ASSAULT WITH INTENT TO ROB WHILE ARMED).

10 (EEE) SECTION 90 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
11 750.90 (SEXUAL INTERCOURSE UNDER PRETEXT OF MEDICAL TREATMENT).

12 (FFF) SECTION 90A OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
13 750.90A (ASSAULT AGAINST PREGNANT WOMAN CAUSING DEATH TO EMBRYO OR
14 FETUS).

15 (GGG) SECTION 90B(A) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
16 MCL 750.90B (ASSAULT AGAINST PREGNANT INDIVIDUAL RESULTING IN
17 MISCARRIAGE, STILLBIRTH, OR DEATH TO EMBRYO OR FETUS).

18 (HHH) SECTION 90B(B) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
19 MCL 750.90B (ASSAULT AGAINST PREGNANT INDIVIDUAL RESULTING IN GREAT
20 BODILY HARM TO EMBRYO OR FETUS).

21 (III) SECTION 90C(A) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
22 MCL 750.90C (GROSS NEGLIGENCE AGAINST PREGNANT WOMAN RESULTING IN
23 MISCARRIAGE, STILLBIRTH, OR DEATH TO AN EMBRYO OR FETUS).

24 (JJJ) SECTION 90D(A) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
25 MCL 750.90D (OPERATING A VEHICLE UNDER THE INFLUENCE OR WHILE
26 IMPAIRED CAUSING MISCARRIAGE, STILLBIRTH, OR DEATH TO EMBRYO OR
27 FETUS).

1 (KKK) SECTION 90G(3) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
2 MCL 750.90G (PERFORMING PROCEDURE ON LIVE INFANT WITH INTENT TO
3 CAUSE DEATH).

4 (LLL) SECTION 91 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
5 750.91 (ATTEMPTED MURDER).

6 (MMM) SECTION 110A(2) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
7 MCL 750.110A (FIRST DEGREE HOME INVASION).

8 (NNN) SECTION 110A(3) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
9 MCL 750.110A (SECOND DEGREE HOME INVASION).

10 (OOO) SECTION 112 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
11 750.112 (BURGLARY WITH EXPLOSIVES).

12 (PPP) SECTION 120A(2)(C) OF THE MICHIGAN PENAL CODE, 1931 PA
13 328, MCL 750.120A (JUROR INTIMIDATION BY COMMITTING A CRIME OR
14 THREATENING TO KILL OR INJURE OR TO CAUSE PROPERTY DAMAGE).

15 (QQQ) SECTION 120A(4) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
16 MCL 750.120A (RETALIATING AGAINST JUROR).

17 (RRR) SECTION 122(7)(C) OF THE MICHIGAN PENAL CODE, 1931 PA
18 328, MCL 750.122 (INTIMIDATING WITNESS BY COMMITTING CRIME OR
19 THREATENING TO KILL OR INJURE).

20 (SSS) SECTION 122(8) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
21 MCL 750.122 (RETALIATING AGAINST WITNESS).

22 (TTT) SECTION 135 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
23 750.135 (EXPOSING CHILDREN WITH INTENT TO INJURE OR ABANDON).

24 (UUU) SECTION 136B(2) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
25 MCL 750.136 (FIRST DEGREE CHILD ABUSE).

26 (VVV) SECTION 136C OF THE MICHIGAN PENAL CODE, 1931 PA 328,
27 MCL 750.136C (BUYING OR SELLING AN INDIVIDUAL).

1 (WWW) SECTION 145A OF THE MICHIGAN PENAL CODE, 1931 PA 328,
2 MCL 750.145A (ENTICING CHILD UNDER 16 YEARS OF AGE FOR IMMORAL
3 PURPOSES).

4 (XXX) SECTION 145B OF THE MICHIGAN PENAL CODE, 1931 PA 328,
5 MCL 750.145B (ACCOSTING CHILD UNDER 16 YEARS OF AGE FOR IMMORAL
6 PURPOSES WITH PRIOR CONVICTION).

7 (YYY) SECTION 145C(2) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
8 MCL 750.145C (PRODUCING CHILD SEXUALLY ABUSIVE ACTIVITY OR
9 MATERIALS).

10 (ZZZ) SECTION 145N OF THE MICHIGAN PENAL CODE, 1931 PA 328,
11 MCL 750.145N (FIRST DEGREE VULNERABLE ADULT ABUSE).

12 (AAAA) SECTION 157A(A) OF THE MICHIGAN PENAL CODE, 1931 PA
13 328, MCL 750.157A RELATING TO MURDER (CONSPIRACY TO COMMIT MURDER).

14 (BBBB) SECTION 157B(2) OF THE MICHIGAN PENAL CODE, 1931 PA
15 328, MCL 750.157B (SOLICITATION TO COMMIT MURDER).

16 (CCCC) SECTION 200I(2)(C) OF THE MICHIGAN PENAL CODE, 1931 PA
17 328, MCL 750.200I (HARMFUL DEVICE CAUSING PERSONAL INJURY).

18 (DDDD) SECTION 200I(2)(D) OF THE MICHIGAN PENAL CODE, 1931 PA
19 328, MCL 750.200I (HARMFUL DEVICE CAUSING SERIOUS IMPAIRMENT).

20 (EEEE) SECTION 200J(2)(C) OF THE MICHIGAN PENAL CODE, 1931 PA
21 328, MCL 750.200J (IRRITANT OR IRRITANT DEVICE CAUSING PERSONAL
22 INJURY).

23 (FFFF) SECTION 200J(2)(D) OF THE MICHIGAN PENAL CODE, 1931 PA
24 328, MCL 750.200J (IRRITANT OR IRRITANT DEVICE CAUSING SERIOUS
25 IMPAIRMENT).

26 (GGGG) SECTION 200J(2)(E) OF THE MICHIGAN PENAL CODE, 1931 PA
27 328, MCL 750.200J (MANUFACTURING, POSSESSING, TRANSPORTING, OR

1 USING IRRITANT DEVICE CAUSING DEATH).

2 (HHHH) SECTION 204(2)(A) OF THE MICHIGAN PENAL CODE, 1931 PA
3 328, MCL 750.204 (SENDING AN EXPLOSIVE WITH INTENT TO FRIGHTEN,
4 INJURE, OR KILL OR TO DAMAGE OR DESTROY PROPERTY).

5 (IIII) SECTION 204(2)(C) OF THE MICHIGAN PENAL CODE, 1931 PA
6 328, MCL 750.204 (SENDING AN EXPLOSIVE CAUSING PHYSICAL INJURY).

7 (JJJJ) SECTION 204(2)(D) OF THE MICHIGAN PENAL CODE, 1931 PA
8 328, MCL 750.204 (SENDING AN EXPLOSIVE CAUSING SERIOUS IMPAIRMENT).

9 (KKKK) SECTION 207(2)(A) OF THE MICHIGAN PENAL CODE, 1931 PA
10 328, MCL 750.207 (PLACING AN EXPLOSIVE WITH INTENT TO FRIGHTEN,
11 INJURE, OR KILL OR TO DAMAGE OR DESTROY PROPERTY).

12 (llll) SECTION 207(2)(C) OF THE MICHIGAN PENAL CODE, 1931 PA
13 328, MCL 750.207 (PLACING AN EXPLOSIVE CAUSING PHYSICAL INJURY).

14 (MMMM) SECTION 207(2)(D) OF THE MICHIGAN PENAL CODE, 1931 PA
15 328, MCL 750.207 (PLACING AN EXPLOSIVE CAUSING SERIOUS IMPAIRMENT).

16 (NNNN) SECTION 209(1)(A) OF THE MICHIGAN PENAL CODE, 1931 PA
17 328, MCL 750.209 (PLACING AN OFFENSIVE OR INJURIOUS SUBSTANCE WITH
18 INTENT TO INJURE).

19 (OOOO) SECTION 209(1)(C) OF THE MICHIGAN PENAL CODE, 1931 PA
20 328, MCL 750.209 (PLACING AN OFFENSIVE OR INJURIOUS SUBSTANCE
21 CAUSING PHYSICAL INJURY).

22 (PPPP) SECTION 209(1)(D) OF THE MICHIGAN PENAL CODE, 1931 PA
23 328, MCL 750.209 (PLACING AN OFFENSIVE OR INJURIOUS SUBSTANCE
24 CAUSING SERIOUS IMPAIRMENT).

25 (QQQQ) SECTION 210(2)(A) OF THE MICHIGAN PENAL CODE, 1931 PA
26 328, MCL 750.210 (POSSESSING OR CARRYING AN EXPLOSIVE OR
27 COMBUSTIBLE SUBSTANCE WITH INTENT TO FRIGHTEN, INJURE, OR KILL OR

1 TO DAMAGE OR DESTROY PROPERTY).

2 (RRRR) SECTION 210(2)(C) OF THE MICHIGAN PENAL CODE, 1931 PA
3 328, MCL 750.210 (POSSESSING OR CARRYING AN EXPLOSIVE OR
4 COMBUSTIBLE SUBSTANCE CAUSING PHYSICAL INJURY).

5 (SSSS) SECTION 210(2)(D) OF THE MICHIGAN PENAL CODE, 1931 PA
6 328, MCL 750.210 (POSSESSION OF EXPLOSIVE OR COMBUSTIBLE SUBSTANCE
7 CAUSING SERIOUS IMPAIRMENT).

8 (TTTT) SECTION 211A(2)(A) OF THE MICHIGAN PENAL CODE, 1931 PA
9 328, MCL 750.211 (MANUFACTURING OR POSSESSING AN EXPLOSIVE OR
10 COMBUSTIBLE SUBSTANCE WITH INTENT TO FRIGHTEN, INJURE, OR KILL OR
11 TO DAMAGE OR DESTROY PROPERTY).

12 (UUUU) SECTION 211A(2)(C) OF THE MICHIGAN PENAL CODE, 1931 PA
13 328, MCL 750.211A (MANUFACTURING OR POSSESSING AN EXPLOSIVE OR
14 INCENDIARY DEVICE CAUSING PHYSICAL INJURY).

15 (VVVV) SECTION 211A(2)(D) OF THE MICHIGAN PENAL CODE, 1931 PA
16 328, MCL 750.211A (MANUFACTURING OR POSSESSING EXPLOSIVE OR
17 INCENDIARY DEVICE CAUSING SERIOUS IMPAIRMENT).

18 (WWWW) SECTION 212A OF THE MICHIGAN PENAL CODE, 1931 PA 328,
19 MCL 750.212A (EXPLOSIVES VIOLATION INVOLVING A VULNERABLE TARGET
20 CAUSING DEATH OR INJURY).

21 (XXXX) SECTION 236 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
22 MCL 750.236 (SETTING SPRING GUN CAUSING DEATH).

23 (YYYY) SECTION 237(4) OF THE MICHIGAN PENAL CODE, 1931 PA 328,
24 MCL 750.237 (POSSESSING OR USING FIREARM WHILE UNDER THE INFLUENCE
25 OR WHILE IMPAIRED CAUSING DEATH).

26 (ZZZZ) SECTION 260 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
27 MCL 750.260 (COUNTERFEITING COINS OR POSSESSING 5 OR MORE

1 COUNTERFEIT COINS).

2 (AAAAA) SECTION 316 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
3 MCL 750.316 (FIRST DEGREE MURDER).

4 (BBBBB) SECTION 317 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
5 MCL 750.317 (SECOND DEGREE MURDER).

6 (CCCCC) SECTION 321 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
7 MCL 750.321 (MANSLAUGHTER).

8 (DDDDD) SECTION 322 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
9 MCL 750.322 (WILLFUL KILLING OF UNBORN QUICK CHILD).

10 (EEEEEE) SECTION 323 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
11 MCL 750.323 (ABORTION RESULTING IN DEATH).

12 (FFFFFF) SECTION 327 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
13 MCL 750.327 (DEATH DUE TO EXPLOSIVES ON VEHICLE OR VESSEL).

14 (GGGGG) SECTION 328 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
15 MCL 750.328 (DEATH DUE TO EXPLOSIVES IN OR NEAR A BUILDING).

16 (HHHHH) SECTION 329 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
17 MCL 750.329 (POINTING FIREARM WITH INTENT BUT NOT MALICE CAUSING
18 DEATH).

19 (IIIII) SECTION 335A OF THE MICHIGAN PENAL CODE, 1931 PA 328,
20 MCL 750.335A (INDECENT EXPOSURE BY SEXUALLY DELINQUENT PERSON).

21 (JJJJJ) SECTION 349 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
22 MCL 750.349 (KIDNAPPING).

23 (KKKKK) SECTION 349A OF THE MICHIGAN PENAL CODE, 1931 PA 328,
24 MCL 750.349A (PRISONER TAKING PERSON AS HOSTAGE).

25 (LLLL) SECTION 350 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
26 750.350 (CARRYING OR ENTICING AWAY CHILD WITH INTENT TO CONCEAL
27 FROM PARENT OR GUARDIAN).

1 (MMMM) SECTION 357 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
2 MCL 750.357 (LARCENY FROM THE PERSON).

3 (NNNNN) SECTION 365 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
4 MCL 750.365 (LARCENY FROM CAR OR PERSONS DETAINED OR INJURED BY
5 ACCIDENT).

6 (OOOOO) SECTION 394(2)(D) OF THE MICHIGAN PENAL CODE, 1931 PA
7 328, MCL 750.394 (THROWING OR DROPPING DANGEROUS OBJECT AT VEHICLE
8 CAUSING SERIOUS IMPAIRMENT).

9 (PPPPP) SECTION 394(2)(E) OF THE MICHIGAN PENAL CODE, 1931 PA
10 328, MCL 750.394 (THROWING OR DROPPING DANGEROUS OBJECT AT VEHICLE
11 CAUSING DEATH).

12 (QQQQQ) SECTION 397 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
13 MCL 750.397 (MAYHEM).

14 (RRRRR) SECTION 397A OF THE MICHIGAN PENAL CODE, 1931 PA 328,
15 MCL 750.397A (PLACING HARMFUL OBJECT OR SUBSTANCE IN FOOD).

16 (SSSSS) SECTION 411I(3)(B) OF THE MICHIGAN PENAL CODE, 1931 PA
17 328, MCL 750.411I (AGGRAVATED STALKING OF A MINOR).

18 (TTTTT) SECTION 411T(2)(C) OF THE MICHIGAN PENAL CODE, 1931 PA
19 328, MCL 750.411T (HAZING RESULTING IN DEATH).

20 (UUUUU) SECTION 422 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
21 MCL 750.422 (PERJURY IN CAPITAL CRIME).

22 (VVVVV) SECTION 436(2)(C) OF THE MICHIGAN PENAL CODE, 1931 PA
23 328, MCL 750.436 (POISONING FOOD, DRINK, MEDICINE, OR WATER SUPPLY
24 CAUSING INJURY).

25 (WWWWW) SECTION 479(4) OF THE MICHIGAN PENAL CODE, 1931 PA
26 328, MCL 750.479 (ASSAULTING OR OBSTRUCTING CERTAIN OFFICIALS
27 CAUSING SERIOUS IMPAIRMENT).

1 (XXXXX) SECTION 479(5) OF THE MICHIGAN PENAL CODE, 1931 PA
2 328, MCL 750.479 (ASSAULTING OR OBSTRUCTING CERTAIN OFFICIALS
3 CAUSING DEATH).

4 (YYYYY) SECTION 479A(4) OF THE MICHIGAN PENAL CODE, 1931 PA
5 328, MCL 750.479A (SECOND DEGREE FLEEING AND ELUDING).

6 (ZZZZZ) SECTION 479A(5) OF THE MICHIGAN PENAL CODE, 1931 PA
7 328, MCL 750.479A (FIRST DEGREE FLEEING AND ELUDING).

8 (AAAAA) SECTION 479B(2) OF THE MICHIGAN PENAL CODE, 1931 PA
9 328, MCL 750.479B (TAKING FIREARM FROM LAWFUL POSSESSION OF PEACE
10 OR CORRECTIONS OFFICER).

11 (BBBBB) SECTION 483A(4)(B) OF THE MICHIGAN PENAL CODE, 1931
12 PA 328, MCL 750.483A (INTERFERING WITH POLICE INVESTIGATION BY
13 COMMITTING CRIME OR THREATENING TO KILL OR INJURE).

14 (CCCCC) SECTION 495A(3) OF THE MICHIGAN PENAL CODE, 1931 PA
15 328, MCL 750.495A (CONCEALING OBJECTS IN TREES OR WOOD PRODUCTS--
16 CAUSING DEATH).

17 (DDDDD) SECTION 511 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
18 MCL 750.511 (ATTEMPTING TO WRECK A TRAIN OR TO ENDANGER THE SAFETY
19 OF ITS PASSENGERS).

20 (EEEEEE) SECTION 520B OF THE MICHIGAN PENAL CODE, 1931 PA 328,
21 MCL 750.520B (FIRST DEGREE CRIMINAL SEXUAL CONDUCT).

22 (FFFFFF) SECTION 520C OF THE MICHIGAN PENAL CODE, 1931 PA 328,
23 MCL 750.520C (SECOND DEGREE CRIMINAL SEXUAL CONDUCT).

24 (GGGGG) SECTION 520D OF THE MICHIGAN PENAL CODE, 1931 PA 328,
25 MCL 750.520D (THIRD DEGREE CRIMINAL SEXUAL CONDUCT).

26 (HHHHH) SECTION 520E OF THE MICHIGAN PENAL CODE, 1931 PA 328,
27 MCL 750.520E (FOURTH DEGREE CRIMINAL SEXUAL CONDUCT).

1 (IIIIII) SECTION 520G(1) OF THE MICHIGAN PENAL CODE, 1931 PA
2 328, MCL 750.520G (ASSAULT WITH INTENT TO COMMIT CRIMINAL SEXUAL
3 CONDUCT INVOLVING SEXUAL PENETRATION).

4 (JJJJJJ) SECTION 529 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
5 MCL 750.529 (ARMED ROBBERY).

6 (KKKKKK) SECTION 529A OF THE MICHIGAN PENAL CODE, 1931 PA 328,
7 MCL 750.529A (CARJACKING).

8 (LLLL) SECTION 530 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL
9 750.530 (UNARMED ROBBERY).

10 (MMMMMM) SECTION 531 OF THE MICHIGAN PENAL CODE, 1931 PA 328,
11 MCL 750.531 (BANK ROBBERY).

12 (NNNNNN) SECTION 543F OF THE MICHIGAN PENAL CODE, 1931 PA 328,
13 MCL 750.543F (TERRORISM WITHOUT CAUSING DEATH).

14 (OOOOOO) SECTION 543H(3)(B) OF THE MICHIGAN PENAL CODE, 1931
15 PA 328, MCL 750.543 (HINDERING PROSECUTION OF TERRORISM BY
16 PROVIDING CRIMINAL ASSISTANCE TO ACT OF TERRORISM).

17 (PPPPPP) SECTION 543H OF THE MICHIGAN PENAL CODE, 1931 PA 328,
18 MCL 750.543H (HINDERING PROSECUTION OF TERRORISM).

19 (QQQQQQ) SECTION 541 OF 1968 PA 302, MCL 752.541 (RIOT).

20 (RRRRRR) SECTION 542A OF 1968 PA 302, MCL 752.542A (RIOT AT
21 STATE CORRECTIONAL FACILITY).

22 (SSSSSS) SECTION 543K OF THE MICHIGAN PENAL CODE, 1931 PA 328,
23 MCL 750.543K (SOLICITING OR PROVIDING MATERIAL SUPPORT FOR
24 TERRORISM OR TERRORIST ACTS).

25 (TTTTTT) SECTION 9(1)(B) OF CHAPTER VIIA OF THE CODE OF
26 CRIMINAL PROCEDURE, 1927 PA 175, MCL 767A.9 (PERJURY DURING
27 INVESTIGATION BY SUBPOENA).

1 (5) ~~—(2)—~~ The finding of reasonable cause by the magistrate
2 may be based upon 1 or more of the following:

3 (a) Factual allegations of the complainant contained in the
4 complaint.

5 (b) The complainant's sworn testimony.

6 (c) The complainant's affidavit.

7 (d) Any supplemental sworn testimony or affidavits of other
8 individuals presented by the complainant or required by the
9 magistrate.

10 (6) ~~—(3)—~~ The magistrate may require sworn testimony of the
11 complainant or other individuals. Supplemental affidavits may be
12 sworn to before an individual authorized by law to administer
13 oaths. The factual allegations contained in the complaint,
14 testimony, or affidavits may be based upon personal knowledge,
15 information and belief, or both.

16 (7) ~~—(4)—~~ The magistrate shall not refuse to accept a
17 complaint alleging a violation of section 81 or 81a of the Michigan
18 penal code, ~~—Act No. 328 of the Public Acts of 1931, being sections~~
19 ~~750.81 and 750.81a of the Michigan Compiled Laws, — 1931 PA 328, MCL~~
20 **750.81 AND 750.81A**, or a violation of a local ordinance
21 substantially corresponding to section 81 of ~~—Act No. 328 of the~~
22 ~~Public Acts of 1931—~~ **THE MICHIGAN PENAL CODE, 1931 PA 328, MCL**
23 **750.81**, by the spouse of the victim, a former spouse of the victim,
24 an individual with whom the victim has had a child in common, or an
25 individual residing or having resided in the same household as the
26 victim on grounds that the complaint is signed upon information and
27 belief by an individual other than the victim.

1 (8) ~~—(5)—~~ A warrant may be issued under this section only upon
2 compliance with the requirements of section 1 of this chapter.

3 Enacting section 1. This amendatory act does not take effect
4 unless all of the following bills of the 93rd Legislature are
5 enacted into law:

6 (a) Senate Bill No.____ or House Bill No. 4800(request no.
7 01425'05 a).

8 (b) Senate Bill No.____ or House Bill No. 4796(request no.
9 03553'05).

10 (c) Senate Bill No.____ or House Bill No. 4799(request no.
11 03554'05).