

SENATE BILL No. 451

April 26, 2007, Introduced by Senators BASHAM and CASSIS and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 4701 (MCL 600.4701), as amended by 2002 PA 142,
and by adding section 2975a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2975A. UPON ENTRY OF A JUDGMENT FOR DAMAGES AGAINST A
2 LICENSEE UNDER ARTICLE 24 OF THE OCCUPATIONAL CODE, 1980 PA 299,
3 MCL 339.2401 TO 339.2412, ON THE BASIS OF A VIOLATION OF SECTION
4 2411(2) OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.2411, THE
5 COURT SHALL NOTIFY THE BUREAU OF COMMERCIAL SERVICES OF THE
6 DEPARTMENT OF LABOR AND ECONOMIC GROWTH OF THE ENTRY OF THAT
7 JUDGMENT AND SHALL CONVEY TO THE DEPARTMENT A COPY OF THAT
8 JUDGMENT.

9 Sec. 4701. As used in this chapter:

1 (a) "Crime" means committing, attempting to commit, conspiring
2 to commit, or soliciting another person to commit any of the
3 following offenses in connection with which the forfeiture of
4 property is sought:

5 (i) A violation of part 111 of the natural resources and
6 environmental protection act, 1994 PA 451, MCL 324.11101 to
7 324.11153.

8 (ii) A violation of part 121 of the natural resources and
9 environmental protection act, 1994 PA 451, MCL 324.12101 to
10 324.12117.

11 (iii) 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.

13 (iv) A violation of section 2 or 3 of the Michigan antitrust
14 reform act, 1984 PA 274, MCL 445.772 and 445.773.

15 (v) A violation described in section 409 of the uniform
16 securities act, 1964 PA 265, MCL 451.809.

17 (vi) A violation of section 5 or 7 of 1978 PA 33, MCL 722.675
18 and 722.677.

19 (vii) A violation of section 49, 75, 94, 95, 96, 100, 104, 105,
20 106, 110, 112, 117, 118, 119, 120, 121, 124, 145c, 145d, 157q,
21 157r, 174, 175, 176, 180, 181, 182, 213, 214, 218, 219a, 224, 248,
22 249, 250, 251, 252, 253, 254, 255, 263, 264, 271, 272, 273, 274,
23 300, 356, 357, 357a, 359, 360, 529, 530, 531, 535, 540c, or 540g or
24 chapter LXXXIII-A of the Michigan penal code, 1931 PA 328, MCL
25 750.49, 750.75, 750.94, 750.95, 750.96, 750.100, 750.104, 750.105,
26 750.106, 750.110, 750.112, 750.117, 750.118, 750.119, 750.120,
27 750.121, 750.124, 750.145c, 750.145d, 750.157q, 750.157r, 750.174,

1 750.175, 750.176, 750.180, 750.181, 750.182, 750.213, 750.214,
2 750.218, 750.219a, 750.224, 750.248, 750.249, 750.250, 750.251,
3 750.252, 750.253, 750.254, 750.255, 750.263, 750.264, 750.271,
4 750.272, 750.273, 750.274, 750.300, 750.356, 750.357, 750.357a,
5 750.359, 750.360, 750.529, 750.530, 750.531, 750.535, 750.540c,
6 750.540g, and 750.543a to 750.543z.

7 (viii) A violation of 1979 PA 53, MCL 752.791 to 752.797.

8 (ix) **A VIOLATION OF SECTION 601 OF THE OCCUPATIONAL CODE, 1980**
9 **PA 299, MCL 339.601.**

10 (b) "Instrumentality of a crime" means any property, other
11 than real property, the use of which contributes directly and
12 materially to the commission of a crime.

13 (c) "Person" means an individual, corporation, partnership, or
14 other business entity, or an unincorporated or voluntary
15 association.

16 (d) "Proceeds of a crime" means any property obtained through
17 the commission of a crime, including any appreciation in the value
18 of the property.

19 (e) "Security interest" means any interest in real or personal
20 property that secures payment or performance of an obligation.

21 (f) "Substituted proceeds of a crime" means any property
22 obtained or any gain realized by the sale or exchange of proceeds
23 of a crime.

24 Enacting section 1. This amendatory act does not take effect
25 unless all of the following bills of the 94th Legislature are
26 enacted into law:

27 (a) Senate Bill No. 450.

Senate Bill No. 451 as amended July 17, 2007
as amended December 11, 2007

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2 (b) Senate Bill No. 452.

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4 (c) Senate Bill No. 453.

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[Enacting section 2. This amendatory act takes effect June 1,
2008.]