

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 226

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 13p, 14f, and 14h of chapter XVII (MCL 777.13p, 777.14f, and 777.14h), section 13p as amended by 2008 PA 340, section 14f as added by 2002 PA 29, and section 14h as amended by 2008 PA 430.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XVII

2 Sec. 13p. This chapter applies to the following felonies
3 enumerated in chapters 338 to 399 of the Michigan Compiled Laws:

4	M.C.L.	Category	Class	Description	Stat Max
5	338.823	Pub trst	F	Private detective license act violation	4

1	338.1053	Pub trst	F	Private security business and security alarm act violation	4
2	338.3434a(2)	Pub trst	F	Unauthorized disclosure of a social security number – subsequent offense	4
3	338.3471(1)(b)	Pub trst	G	Michigan immigration clerical assistant act violation – subsequent offense	2
4	339.601(6)(B)	PUB TRST	G	UNAUTHORIZED PRACTICE OF RESIDENTIAL BUILDING, RESIDENTIAL MAINTENANCE, OR ALTERATION CONTRACTING – SECOND OR SUBSEQUENT OFFENSE	2
5	339.601(6)(C)	PUB TRST	F	UNAUTHORIZED PRACTICE OF RESIDENTIAL BUILDING, RESIDENTIAL MAINTENANCE, OR ALTERATION CONTRACTING CAUSING SERIOUS INJURY OR DEATH	4
6	339.601(7)(c)	Pub trst	F	Unauthorized practice of, an occupation or unauthorized operation of a school teaching, an occupation ARCHITECTURE, PROFESSIONAL ENGINEERING, OR PROFESSIONAL LAND SURVEYOR causing serious injury or death	4
7	339.735	Pub trst	E	Unauthorized practice of public accounting	5

1	380.1230d(3)(a)	Pub saf	G	Failure by school employee to report charge or conviction	2
2	380.1816	Pub trst	F	Improper use of bond proceeds	4
3	388.936	Pub trst	F	Knowingly making false statement – school district loans	4
4	388.1937	Pub trst	F	Making false statement or concealing material information to obtain qualification of school bond issue or improperly using proceeds of school bonds	4

5 Sec. 14f. This chapter applies to the following felonies
6 enumerated in chapter 436 of the Michigan Compiled Laws:

7	M.C.L.	Category	Class	Description	Stat Max
8	436.1701(2)	Person	D	Selling alcohol to a minor and causing death	10
9	436.1909(3)	Pub ord	H	Liquor violation	1
10	436.1909(4)(A)	PUB ORD	F	UNAUTHORIZED SALE, DELIVERY, OR IMPORTATION OF SPIRITS – 80,000 ML OR MORE	4
11	436.1919	Pub ord	H	Fraudulent documents, labels, or stamps	1

12 Sec. 14h. This chapter applies to the following felonies

Senate Bill No. 226 (H-5) as amended December 15, 2010

1 enumerated in chapter 445 of the Michigan Compiled Laws:

2	M.C.L.	Category	Class	Description	Stat Max
3	445.65	Pub ord	E	Identity theft	5
4		PUB ORD	D	IDENTITY THEFT - SECOND OFFENSE	10
5		PUB ORD	C	IDENTIFY THEFT - THIRD OR SUBSEQUENT OFFENSE	15
6	445.67	Pub ord	E	Obtain, SOLICIT, OBTAIN, possess, sell, or transfer personal identifying information of another or falsify a police report with intent to commit identity theft	[5]
7		PUB ORD	D	OBTAIN, POSSESS, SELL, OR TRANSFER PERSONAL IDENTIFYING INFORMATION OF ANOTHER OR FALSIFY A POLICE REPORT WITH INTENT TO COMMIT IDENTITY THEFT - SECOND OFFENSE	10
8		PUB ORD	C	OBTAIN, POSSESS, SELL, OR TRANSFER PERSONAL IDENTIFYING INFORMATION OF ANOTHER OR FALSIFY A POLICE REPORT WITH INTENT TO COMMIT IDENTITY THEFT - THIRD OR SUBSEQUENT OFFENSE	15
9	445.408(2)	Pub ord	E	Buying or selling stolen scrap metal	5

1	445.408(3)	Pub ord	E	Buying or selling stolen scrap metal - second or subsequent offense	5
2	445.433(2)	Pub ord	E	Knowingly buying or selling stolen nonferrous metal articles	5
3	445.487(2)	Pub ord	H	Precious metal and gem dealer failure to record material matter - subsequent offense	2
4	445.488(2)	Pub ord	H	Precious metal and gem dealer violations - subsequent offense	2
5	445.489	Pub ord	H	Precious metal and gem dealer violations FAILING TO RECORD TRANSACTION OR FALSIFYING TRANSACTION RECORD, OR MAKING IMPROPER PURCHASE	2
6	445.490	Pub ord	H	Precious metal and gem dealer failure to obtain a certificate of registration	2
7	445.574A(2)(D)	PUB ORD	H	IMPROPER RETURN OF 10,000 OR MORE NONREFUNDABLE CONTAINERS	5
8	445.574A(3)(D)	PUB ORD	H	IMPROPER ACCEPTANCE OR DELIVERY OF 10,000 OR MORE NONREFUNDABLE CONTAINERS BY DEALER	5
9	445.574A(4)(D)	PUB ORD	H	IMPROPER ACCEPTANCE OR DELIVERY OF 10,000 OR MORE NONREFUNDABLE CONTAINERS BY DISTRIBUTOR	5

1	445.667	PUB ORD	G	CHANGING, ALTERING, OR MODIFYING REVERSE VENDING MACHINE OR DATA FOR REVERSE VENDING MACHINE	2
2	445.779	Pub ord	H	Antitrust violation	2
3	445.1505	Pub trst	G	Franchise investment law—fraudulent filing/offers FRAUDULENT FILING, OFFER, OR SALE OF FRANCHISE	7
4	445.1508	Pub trst	G	Franchise investment law—sale SALE OF FRANCHISE without proper disclosure	7
5	445.1513	Pub trst	G	Franchise investment law—illegal offers/sales ILLEGAL OFFER OR SALE OF FRANCHISE	7
6	445.1520	Pub trst	G	Franchise investment law—keeping records FAILURE TO KEEP OR MAINTAIN RECORD OF SALE OF FRANCHISE	7
7	445.1521	Pub trst	G	Franchise investment law—false representation FALSE REPRESENTATION OF DEPARTMENTAL FINDING, RECOMMENDATION, OR APPROVAL OF FRANCHISE DOCUMENT	7
8	445.1523	Pub trst	G	Franchise investment law—false statements FALSE STATEMENT of material fact TO DEPARTMENT OF ATTORNEY GENERAL REGARDING FRANCHISE	7

1	445.1525	Pub trst	G	Franchise investment law — false FALSE advertising OF FRANCHISE	7
2	445.1528	Pub trst	D	Pyramid/chain promotions — offer or sell OFFER OR SALE OF FRANCHISE THROUGH PYRAMID OR CHAIN PROMOTION	7
3	445.1671	Pub trst	E	Mortgage brokers, lenders — knowingly giving a false statement FALSE STATEMENT IN REPORT REQUIRED BY MORTGAGE BROKER OR LENDER	15
4	445.2507(2)	Pub ord	F	Violation of unsolicited commercial e-mail protection act in furtherance of crime	4

5 Enacting section 1. This amendatory act takes effect April
6 1, 2011.

7 Enacting section 2. This amendatory act does not take effect
8 unless all of the following bills of the 95th Legislature are
9 enacted into law:

10 (a) Senate Bill No. 149.

11 (b) Senate Bill No. 223.

12 (c) Senate Bill No. 225.