

SENATE BILL No. 93

January 27, 2011, Introduced by Senator HANSEN and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled
"The code of criminal procedure,"
by amending sections 11b and 16m of chapter XVII (MCL 777.11b and
777.16m), section 11b as amended by 2008 PA 538 and section 16m
as amended by 2005 PA 106.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XVII

2 Sec. 11b. This chapter applies to the following felonies
3 enumerated in chapter 28 of the Michigan Compiled Laws:

| 4 | M.C.L. | Category | Class | Description | Stat Max |
|---|--------|----------|-------|---|----------|
| 5 | 28.214 | Pub trst | F | Unauthorized disclosure of information from LEIN – subsequent offense | 4 |

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|---|---------------|---------|---|---|----|
| 1 | 28.293(1) | Pub ord | E | False information when applying for state ID | 5 |
| 2 | 28.293(2) | Pub ord | D | False information when applying for state ID – second offense | 7 |
| 3 | 28.293(3) | Pub ord | C | False information when applying for state ID – third or subsequent offense | 15 |
| 4 | 28.295(1) (a) | Pub ord | D | Counterfeiting or forging state ID card or using counterfeited or forged state ID card to commit felony punishable by imprisonment for 10 years or more | 10 |
| 5 | 28.295(1) (b) | Pub ord | E | Counterfeiting or forging state ID card or using counterfeited or forged state ID card to commit felony punishable by imprisonment for less than 10 years or a misdemeanor punishable by more than 6 months | 5 |
| 6 | 28.295(2) | Pub ord | E | Selling counterfeited or forged state ID card or possessing counterfeited or forged state ID card with intent to deliver to another person or possessing 2 or more counterfeited or forged state ID cards | 5 |

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|----|---|----------|---|---|----------|
| 1 | 28.295(5) | Property | H | Using stolen state ID card to commit felony | Variable |
| 2 | 28.295a(1) | Pub ord | H | False representation to obtain or misuse personal information | 4 |
| 3 | 28.295a(2) | Pub ord | G | False representation to obtain or misuse personal information – second offense | 7 |
| 4 | 28.295a(3) | Pub ord | C | False representation to obtain or misuse personal information – third or subsequent offense | 15 |
| 5 | 28.308 | Pub saf | E | False certification or statement in application for enhanced driver license or enhanced official state personal identification card | 5 |
| 6 | 28.422 | Pub saf | F | Pistols – license application forgery | 4 |
| 7 | 28.422a(4) 28.422A(5) | Pub saf | F | False statement on pistol sales record | 4 |
| 8 | 28.425b(3) | Pub saf | F | False statement on concealed pistol permit application | 4 |
| 9 | 28.425j(2) | Pub saf | F | Unlawful granting or presenting of pistol training certificate | 4 |
| 10 | 28.425o(5)(e) 28.4250(6)(C) | Pub saf | F | Carrying concealed pistol OR ELECTRO-MUSCULAR DISRUPTION DEVICE in prohibited place – third or subsequent offense | 4 |

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|---|---------------|----------|---|---|----|
| 1 | 28.435(14)(c) | Pub saf | G | Firearm sale without trigger lock, gun case, or storage container – third or subsequent offense | 2 |
| 2 | 28.516(2) | Pub saf | F | False statement on concealed firearm certificate application | 4 |
| 3 | 28.729(1)(a) | Pub ord | F | Failure to register as a sex offender, first offense | 4 |
| 4 | 28.729(1)(b) | Pub ord | D | Failure to register as a sex offender, second offense | 7 |
| 5 | 28.729(1)(c) | Pub ord | D | Failure to register as a sex offender, third or subsequent offense | 10 |
| 6 | 28.729(2)(c) | Pub ord | F | Failure to update sex offender registration information – third or subsequent offense | 4 |
| 7 | 28.734(2)(b) | Pub trst | G | Student safety zone violation involving work or loitering – second or subsequent offense | 2 |
| 8 | 28.735(2)(b) | Pub trst | G | Student safety zone violation involving residency – second or subsequent violation | 2 |
| 9 | 28.754 | Pub ord | F | False report of a child abduction | 4 |

10 Sec. 16m. This chapter applies to the following felonies
11 enumerated in chapter 750 of the Michigan Compiled Laws:

| 1 | M.C.L. | Category | Class | Description | Stat Max |
|----------|------------------------------------|-----------------|--------------|---|-----------------|
| 2 | 750.223(2) | Pub saf | F | Sale of firearm to minor – subsequent offense | 4 |
| 3 | 750.223(3) | Pub ord | D | Sale of firearm to person prohibited from possessing | 10 |
| 4 | 750.224 | Pub saf | E | Manufacture or sale of silencer, bomb, blackjack, automatic weapon, gas spray, etc. | 5 |
| 5 | 750.224a 750.224A(4) | Pub saf | F | Possession or sale of electrical current weapons | 4 |
| 6 | 750.224A(6)(A) | PUB SAF | G | IMPROPER USE OF ELECTRO-MUSCULAR DISRUPTION DEVICE | 2 |
| 7 | 750.224b | Pub saf | E | Possession of short barreled shotgun or rifle | 5 |
| 8 | 750.224c | Pub saf | F | Armor piercing ammunition | 4 |
| 9 | 750.224d(2) | Person | G | Using self-defense spray device | 2 |
| 10 | 750.224e | Pub saf | F | Manufacture/sale/possession of devices to convert semiautomatic weapons | 4 |
| 11 | 750.224f | Pub saf | E | Possession or sale of firearm by felon | 5 |
| 12 | 750.226 | Pub saf | E | Carrying firearm or dangerous weapon with unlawful intent | 5 |

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|----|-------------|---------|---|---|----|
| 1 | 750.227 | Pub saf | E | Carrying a concealed weapon | 5 |
| 2 | 750.227a | Pub saf | F | Unlawful possession of pistol | 4 |
| 3 | 750.227c | Pub saf | G | Possessing a loaded firearm in or upon a vehicle | 2 |
| 4 | 750.227f | Pub saf | F | Wearing body armor during commission of certain crimes | 4 |
| 5 | 750.227g(1) | Pub saf | F | Felon purchasing, owning, possessing, or using body armor | 4 |
| 6 | 750.230 | Pub saf | G | Altering ID mark on firearm | 2 |
| 7 | 750.232a(3) | Pub saf | G | False statement in a pistol application | 4 |
| 8 | 750.234a | Pub saf | F | Discharging firearm from vehicle | 4 |
| 9 | 750.234b | Pub saf | F | Discharging firearm in or at a building | 4 |
| 10 | 750.234c | Pub saf | F | Discharging firearm at emergency/police vehicle | 4 |
| 11 | 750.236 | Person | C | Setting spring gun – death resulting | 15 |
| 12 | 750.237(3) | Person | E | Using firearm while under the influence or impaired causing serious impairment | 5 |
| 13 | 750.237(4) | Person | C | Using firearm while under the influence or impaired causing death | 15 |

1 Enacting section 1. This amendatory act does not take effect
2 unless Senate Bill No.____ or House Bill No.____ (request no.
3 00368'11) of the 96th Legislature is enacted into law.