

HOUSE BILL NO. 4428

April 09, 2019, Introduced by Reps. Garza, Hope, Garrett, Whitsett, Hammoud, Neeley, Camilleri, Gay-Dagnogo, Manoogian and Rabhi and referred to the Committee on Local Government and Municipal Finance.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 160 and 16s of chapter XVII (MCL 777.160 and 777.16s), section 160 as amended by 2012 PA 169 and section 16s as amended by 2008 PA 414.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

CHAPTER XVII

2

Sec. 160. This chapter applies to the following felonies

3

enumerated in chapter 750 of the Michigan Compiled Laws:



| 1 | M.C.L. | Category | Class | Description | Stat Max |
|----|---------|----------|-------|------------------------|----------|
| 2 | 750.271 | Property | E | Fraudulently issuing | 10 |
| 3 | | | | or selling domestic | |
| 4 | | | | securities | |
| 5 | 750.272 | Property | G | Sale of fraudulent | 10 |
| 6 | | | | stock of foreign | |
| 7 | | | | corporations | |
| 8 | 750.273 | Property | E | Obtaining signature | 10 |
| 9 | | | | with intent to defraud | |
| 10 | 750.274 | Property | E | Purchasing or | 10 |
| 11 | | | | collecting on | |
| 12 | | | | fraudulent financial | |
| 13 | | | | document | |
| 14 | 750.276 | Property | G | Obtaining signature or | 4 |
| 15 | | | | promise of vendee of | |
| 16 | | | | grain to sell at | |
| 17 | | | | fictitious price | |
| 18 | 750.277 | Pub trst | G | Sale or transfer of | 4 |
| 19 | | | | note of vendee of | |
| 20 | | | | grain to sell at a | |
| 21 | | | | fictitious price | |
| 22 | 750.278 | Property | G | Issuing or delivering | 5 |
| 23 | | | | fraudulent warehouse | |
| 24 | | | | receipt | |
| 25 | 750.279 | Property | G | Fraudulent disposal of | 4 |
| 26 | | | | entrusted property | |
| 27 | 750.280 | Property | E | Gross fraud or cheat | 10 |
| 28 | | | | at common law | |



| | | | | | |
|----|------------------------|----------|---|------------------------|----|
| 1 | 750.282 | Pub ord | G | Fraudulently damaging | 4 |
| 2 | 750.282 (2) (b) | | | or using property of | |
| 3 | | | | utility in amount over | |
| 4 | | | | \$500 | |
| 5 | 750.282a | Property | E | Illegally selling or | 5 |
| 6 | | | | transferring product | |
| 7 | | | | or service of electric | |
| 8 | | | | service provider or | |
| 9 | | | | natural gas provider | |
| 10 | | | | to another person | |
| 11 | 750.300 | Pub ord | G | Killing or injuring | 2 |
| 12 | | | | animal to defraud | |
| 13 | | | | insurance company | |
| 14 | 750.300a (1) (a) | Property | G | Food stamp fraud of | 5 |
| 15 | | | | \$250 or less - second | |
| 16 | | | | offense | |
| 17 | | Property | G | Food stamp fraud of | 10 |
| 18 | | | | \$250 or less - third | |
| 19 | | | | or subsequent offense | |
| 20 | 750.300a (1) (b) | Property | E | Food stamp fraud of | 5 |
| 21 | | | | more than \$250 to | |
| 22 | | | | \$1,000 | |
| 23 | | Property | E | Food stamp fraud of | 10 |
| 24 | | | | more than \$250 to | |
| 25 | | | | \$1,000 - subsequent | |
| 26 | | | | offense | |
| 27 | 750.300a (1) (c) | Property | E | Food stamp fraud of | 10 |
| 28 | | | | more than \$1,000 | |
| 29 | 750.303 | Pub ord | H | Gaming | 2 |



1 750.313 Pub ord H Gambling in stocks, 2
 2 bonds, or commodities

3 Sec. 16s. This chapter applies to the following felonies
 4 enumerated in chapter 750 of the Michigan Compiled Laws:

| 5 | M.C.L. | Category | Class | Description | Stat Max |
|----|----------------|-----------------|--------------|------------------------|-----------------|
| 6 | 750.377a(1)(a) | Property | D | Malicious destruction | 10 |
| 7 | | | | of personal property | |
| 8 | | | | involving \$20,000 or | |
| 9 | | | | more or with prior | |
| 10 | | | | convictions | |
| 11 | 750.377a(1)(b) | Property | E | Malicious destruction | 5 |
| 12 | | | | of personal property | |
| 13 | | | | involving \$1,000 to | |
| 14 | | | | \$20,000 or with prior | |
| 15 | | | | convictions | |
| 16 | 750.377b | Property | F | Malicious destruction | 4 |
| 17 | | | | of fire/police | |
| 18 | | | | property | |
| 19 | 750.377c | Property | E | School bus - | 5 |
| 20 | | | | intentional damage | |
| 21 | 750.378 | Property | F | Malicious destruction | 4 |
| 22 | | | | of property - | |
| 23 | | | | dams/canals/mills | |
| 24 | 750.379 | Property | F | Malicious destruction | 4 |
| 25 | | | | of property - | |
| 26 | | | | bridges/railroads/ | |
| 27 | | | | locks | |



| | | | | | |
|----|---------------------|----------|---|------------------------|----|
| 1 | 750.380 (2) | Property | D | Malicious destruction | 10 |
| 2 | | | | of building involving | |
| 3 | | | | \$20,000 or more or | |
| 4 | | | | with prior convictions | |
| 5 | 750.380 (3) | Property | E | Malicious destruction | 5 |
| 6 | | | | of a building | |
| 7 | | | | involving \$1,000 to | |
| 8 | | | | \$20,000 or with prior | |
| 9 | | | | convictions | |
| 10 | 750.382 (1) (c) | Property | E | Malicious destruction | 5 |
| 11 | | | | of plants or turf | |
| 12 | | | | involving \$1,000 to | |
| 13 | | | | \$20,000 or with prior | |
| 14 | | | | convictions | |
| 15 | 750.382 (1) (d) | Property | D | Malicious destruction | 10 |
| 16 | | | | of plants or turf | |
| 17 | | | | involving \$20,000 or | |
| 18 | | | | more or with prior | |
| 19 | | | | convictions | |
| 20 | 750.383a | Property | E | Malicious destruction | 5 |
| 21 | 750.383a (1) | | | of utility equipment | |
| 22 | | | | or utility | |
| 23 | | | | infrastructure | |
| 24 | | | | component | |
| 25 | 750.386 | Property | E | Malicious destruction | 20 |
| 26 | | | | of mine property | |



| | | | | | |
|----|---------------|----------|---|-------------------------|----|
| 1 | 750.387(5) | Property | E | Malicious destruction | 5 |
| 2 | | | | of a tomb or memorial | |
| 3 | | | | involving \$1,000 to | |
| 4 | | | | \$20,000 or with prior | |
| 5 | | | | convictions | |
| 6 | 750.387(6) | Property | D | Malicious destruction | 10 |
| 7 | | | | of a tomb or memorial | |
| 8 | | | | involving \$20,000 or | |
| 9 | | | | more or with prior | |
| 10 | | | | convictions | |
| 11 | 750.392 | Property | E | Malicious destruction | 10 |
| 12 | | | | of property – vessels | |
| 13 | 750.394(2)(c) | Person | F | Throwing or dropping | 4 |
| 14 | | | | dangerous object at | |
| 15 | | | | vehicle causing injury | |
| 16 | 750.394(2)(d) | Person | D | Throwing or dropping | 10 |
| 17 | | | | dangerous object at | |
| 18 | | | | vehicle causing | |
| 19 | | | | serious impairment | |
| 20 | 750.394(2)(e) | Person | C | Throwing or dropping | 15 |
| 21 | | | | dangerous object at | |
| 22 | | | | vehicle causing death | |
| 23 | 750.395(2)(c) | Property | E | Damaging or destroying | 5 |
| 24 | | | | research property with | |
| 25 | | | | a value between \$1,000 | |
| 26 | | | | and \$20,000 or with | |
| 27 | | | | prior convictions | |



| | | | | | |
|----|-----------------|----------|---|------------------------|----|
| 1 | 750.395 (2) (d) | Property | E | Damaging or destroying | 5 |
| 2 | | | | research property with | |
| 3 | | | | a value of \$20,000 or | |
| 4 | | | | more or 2 or more | |
| 5 | | | | prior convictions | |
| 6 | 750.395 (2) (e) | Person | E | Damaging or destroying | 5 |
| 7 | | | | research property | |
| 8 | | | | resulting in physical | |
| 9 | | | | injury | |
| 10 | 750.395 (2) (f) | Person | D | Damaging or destroying | 10 |
| 11 | | | | research property | |
| 12 | | | | resulting in serious | |
| 13 | | | | impairment of body | |
| 14 | | | | function | |
| 15 | 750.395 (2) (g) | Person | C | Damaging or destroying | 15 |
| 16 | | | | research property | |
| 17 | | | | resulting in death | |
| 18 | 750.397 | Person | D | Mayhem | 10 |
| 19 | 750.397a | Person | D | Placing harmful | 10 |
| 20 | | | | objects in food | |
| 21 | 750.405 | Pub saf | E | Inciting soldiers to | 5 |
| 22 | | | | desert | |
| 23 | 750.406 | Pub saf | E | Military stores - | 5 |
| 24 | | | | larceny, embezzlement | |
| 25 | | | | or destruction | |

26 Enacting section 1. This amendatory act takes effect 90 days
 27 after the date it is enacted into law.

28 Enacting section 2. This amendatory act does not take effect
 29 unless Senate Bill No. ____ or House Bill No. ____ (request no.



1 00505'19 *) of the 100th Legislature is enacted into law.

