

# HOUSE BILL NO. 5194

October 24, 2023, Introduced by Reps. Harris, Brenda Carter, Scott, Bezotte, Breen, Coleman, Stone, O'Neal, Neeley, Young, Hope, Dievendorf, Haadsma, Rheingans, DeBoer, Brabec, Tyrone Carter, Martus, Fitzgerald, Aragona, Edwards and Aiyash and referred to the Committee on Insurance and Financial Services.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 159g (MCL 750.159g), as amended by 2022 PA 174.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 159g. As used in this chapter, "racketeering" means  
2       committing, attempting to commit, conspiring to commit, or aiding  
3       or abetting, soliciting, coercing, or intimidating a person to  
4       commit an offense for financial gain by obtaining money, property,  
5       or any other thing of value, involving any of the following:

6       (a) A felony violation of section 8 of the tobacco products

1 tax act, 1993 PA 327, MCL 205.428, concerning tobacco product  
2 taxes, or section 9 of former 1947 PA 265, concerning cigarette  
3 taxes.

4 (b) A violation of section 11151(3) of the natural resources  
5 and environmental protection act, 1994 PA 451, MCL 324.11151, or  
6 section 48(3) of former 1979 PA 64, concerning felonious disposal  
7 of hazardous waste.

8 (c) A felony violation of part 74 of the public health code,  
9 1978 PA 368, MCL 333.7401 to 333.7461, concerning controlled  
10 substances.

11 (d) A felony violation of section 7340, 7340c, or 17766c of  
12 the public health code, 1978 PA 368, MCL 333.7340, 333.7340c, and  
13 333.17766c, concerning ephedrine or pseudoephedrine.

14 (e) A felony violation of section 60 of the social welfare  
15 act, 1939 PA 280, MCL 400.60, concerning welfare fraud.

16 (f) A violation of section 4, 5, or 7 of the medicaid false  
17 claim act, 1977 PA 72, MCL 400.604, 400.605, and 400.607,  
18 concerning Medicaid fraud.

19 (g) A felony violation of section 18 of the Michigan gaming  
20 control and revenue act, 1996 IL 1, MCL 432.218, concerning the  
21 business of gaming.

22 (h) A felony violation of section 909(4) of the Michigan  
23 liquor control code of 1998, 1998 PA 58, MCL 436.1909, concerning  
24 the illegal sale, delivery, or importation of spirits.

25 (i) A violation of section 508 of the uniform securities act  
26 (2002), 2008 PA 551, MCL 451.2508, concerning fraud.

27 (j) A violation of section 5 or 7 of 1978 PA 33, MCL 722.675  
28 and 722.677, concerning the display or dissemination of obscene  
29 matter to minors.

1 (k) A violation of section 49, concerning animal fighting.

2 (l) A felony violation of section 72, 73, 74, ~~or 75, or 77,~~  
3 concerning arson.

4 (m) A violation of section 93, 94, 95, or 96, concerning bank  
5 bonds, bills, notes, and property.

6 (n) A violation of section 110 or 110a, concerning breaking  
7 and entering or home invasion.

8 (o) A violation of section 117, 118, 119, 120, 121, or 124,  
9 concerning bribery.

10 (p) A violation of section 120a, concerning jury tampering.

11 (q) A violation of section 145c, concerning child sexually  
12 abusive activity or material.

13 (r) A violation of section 145d, concerning internet or  
14 computer crimes.

15 (s) A felony violation of section 157n, 157p, 157q, 157r,  
16 157s, 157t, or 157u, concerning credit cards or financial  
17 transaction devices.

18 (t) A felony violation of section 174, 175, 176, 180, 181, or  
19 182, concerning embezzlement.

20 (u) A felony violation of chapter XXXIII, concerning  
21 explosives and bombs.

22 (v) A violation of section 213, concerning extortion.

23 (w) A felony violation of section 218, concerning false  
24 pretenses.

25 (x) A felony violation of section 223(2), 224(1)(a), (b), or  
26 (c), 224b, 224c, 224e(1), 226, 227, 234a, 234b, or 237a, concerning  
27 firearms or dangerous weapons.

28 (y) A felony violation of chapter XLI, concerning forgery and  
29 counterfeiting.

1 (z) A violation of section 271, 272, 273, or 274, concerning  
2 securities fraud.

3 (aa) A violation of section 300a, concerning food stamps or  
4 coupons or access devices.

5 (bb) A violation of section 301, 302, 303, 304, 305, 305a, or  
6 313, concerning gambling.

7 (cc) A violation of section 316 or 317, concerning murder.

8 (dd) A violation of section 330, 331, or 332, concerning horse  
9 racing.

10 (ee) A violation of section 349, 349a, or 350, concerning  
11 kidnapping.

12 (ff) A felony violation of chapter LII, concerning larceny.

13 (gg) A violation of section 411k, concerning money laundering.

14 (hh) A violation of section 422, 423, 424, or 425, concerning  
15 perjury or subornation of perjury.

16 (ii) A violation of section 452, 455, 457, 458, or 459,  
17 concerning prostitution.

18 (jj) A violation of chapter LXVIIA, concerning human  
19 trafficking.

20 (kk) A violation of section 529, 529a, 530, or 531, concerning  
21 robbery.

22 (ll) A felony violation of section 535 or 535a, concerning  
23 stolen, embezzled, or converted property.

24 (mm) A violation of chapter LXXXIII-A, concerning terrorism.

25 (nn) A violation of section 5 of 1984 PA 343, MCL 752.365,  
26 concerning obscenity.

27 (oo) A felony violation of the identity theft protection act,  
28 2004 PA 452, MCL 445.61 to 445.79d.

29 (pp) A violation of section 4 of the organized retail crime

1 act, 2012 PA 455, MCL 752.1084.

2 **(qq) A fraudulent insurance act described under section 4503**  
3 **of the insurance code of 1956, 1956 PA 218, MCL 500.4503.**

4 **(rr)** ~~(qq)~~ An offense committed within this state or another  
5 state that constitutes racketeering activity as defined in 18 USC  
6 1961(1).

7 **(ss)** ~~(rr)~~ An offense committed within this state or another  
8 state in violation of a law of the United States that is  
9 substantially similar to a violation listed in subdivisions (a)  
10 through ~~(qq)~~ **to (rr)**.

11 **(tt)** ~~(ss)~~ An offense committed in another state in violation  
12 of a statute of that state that is substantially similar to a  
13 violation listed in subdivisions (a) through ~~(qq)~~ **to (rr)**.

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