

Act No. 61
Public Acts of 2023
Approved by the Governor
July 11, 2023
Filed with the Secretary of State
July 12, 2023
EFFECTIVE DATE: October 10, 2023

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023**

Introduced by Senators Johnson, Geiss, Chang, Lauwers, Bellino, Bayer, Shink, Wojno, McCann,
Cavanagh and Polehanki

ENROLLED SENATE BILL No. 70

AN ACT to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2018 PA 583.

The People of the State of Michigan enact:

CHAPTER XVII

Sec. 13n. This chapter applies to the following felonies enumerated in chapter 333 of the Michigan Compiled Laws:

| M.C.L. | Category | Class | Description | Stat Max |
|--------------|----------|-------|---|----------|
| 333.10116(1) | Pub ord | E | Purchasing or selling body part of deceased individual for transplantation or therapy | 5 |
| 333.10117 | Pub ord | E | Falsifying, concealing, or defacing document of anatomical gift for financial gain | 5 |

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|------------------|----------|---|---|----|
| 333.10204(1) | Pub ord | F | Transferring a human organ for valuable consideration | 4 |
| 333.10204(4) | Pub saf | F | Removal of a human organ by an unauthorized individual | 4 |
| 333.10205 | Pub saf | F | Removal of a human organ in an unapproved facility | 4 |
| 333.13738(2) | Pub saf | F | Waste disposal violations — subsequent offense | 5 |
| 333.13738(3) | Pub saf | F | Improper disposal of waste with indifference to human life | 2 |
| | Pub saf | B | Improper disposal of waste with extreme indifference to human life | 20 |
| 333.16170(3) | Pub trst | F | False representation of completion of health professional recovery program | 4 |
| 333.16213a(3) | Pub trst | G | Medical record – intentional omission of certain medical services – health professional | 2 |
| 333.16279(5)(a) | Person | G | Performing certain medical treatment on a minor – first offense | 2 |
| 333.16279(5)(b) | Person | E | Performing certain medical treatment on a minor – subsequent offense | 5 |
| 333.16294 | Pub saf | F | Unauthorized practice of health profession | 4 |
| 333.17748d(2) | Person | G | Compounding pharmacy violation | 2 |
| 333.17748d(3) | Person | F | Compounding pharmacy violation resulting in personal injury | 4 |
| 333.17748d(4) | Person | E | Compounding pharmacy violation resulting in serious impairment of a body function | 5 |
| 333.17748d(5) | Person | C | Compounding pharmacy violation resulting in death | 15 |
| 333.17764(3) | Pub saf | G | Adulterating, misbranding, removing, or substituting a drug or device | 2 |
| 333.17764(4) | Pub saf | F | Adulterating, misbranding, removing, or substituting a drug or device resulting in personal injury | 4 |
| 333.17764(5) | Pub saf | E | Adulterating, misbranding, removing, or substituting a drug or device resulting in serious impairment of a body function | 5 |
| 333.17764(6) | Pub saf | C | Adulterating, misbranding, removing, or substituting a drug or device resulting in death | 15 |
| 333.17766c(2)(b) | CS | G | Possessing more than 12 grams ephedrine or pseudoephedrine | 2 |
| 333.17766c(2)(c) | CS | E | Purchasing or possessing ephedrine or pseudoephedrine knowing or having reason to know that it is to be used to manufacture methamphetamine | 5 |
| 333.20142(5) | Pub trst | F | False statement in application for licensure as health facility | 4 |
| 333.20153 | Pub saf | D | Reuse of single-use medical device | 10 |

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|---------------|----------|---|---|---|
| 333.20175b(3) | Pub trst | G | Medical record – intentional omission of certain medical services – health facility or agency | 2 |
| 333.21792 | Pub trst | G | Nursing home accepting referral fees, bribing officials, or accepting bribes | 4 |
| 333.26424(l) | Pub trst | G | Selling marihuana in violation of registry identification card restrictions | 2 |
| 333.27407a(c) | Pub saf | F | Operating medical marihuana facility without a license resulting in death or serious injury | 4 |

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

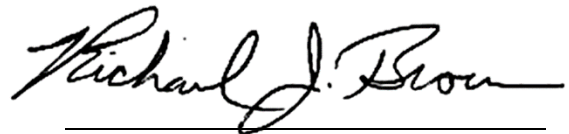
Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 102nd Legislature are enacted into law:

- (a) Senate Bill No. 69.
- (b) Senate Bill No. 71.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor