

SENATE BILL No. 83

January 27, 2011, Introduced by Senators WHITMER, HUNTER, BIEDA, GLEASON, HOPGOOD and ANDERSON and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 159g and 273 (MCL 750.159g and 750.273), section 159g as amended by 2010 PA 362.

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, involving any of the
5 following:

6 (a) A felony violation of section 8 of the tobacco products
7 tax act, 1993 PA 327, MCL 205.428, concerning tobacco product
8 taxes, or section 9 of former 1947 PA 265, concerning cigarette

1 taxes.

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

6 (c) A felony violation of part 74 of the public health code,
7 1978 PA 368, MCL 333.7401 to 333.7461, concerning controlled
8 substances.

9 (d) A felony violation of section 60 of the social welfare
10 act, 1939 PA 280, MCL 400.60, concerning welfare fraud.

11 (e) A violation of section 4, 5, or 7 of the medicaid false
12 claim act, 1977 PA 72, MCL 400.604, 400.605, and 400.607,
13 concerning medicaid fraud.

14 (f) A felony violation of section 18 of the Michigan gaming
15 control and revenue act, 1996 IL 1, MCL 432.218, concerning the
16 business of gaming.

17 (g) A violation of section 508 of the uniform securities act
18 (2002), 2008 PA 551, MCL 451.2508, concerning ~~securities~~-fraud.

19 (h) A violation of section 5 or 7 of 1978 PA 33, MCL 722.675
20 and 722.677, concerning the display or dissemination of obscene
21 matter to minors.

22 (i) A felony violation of section 72, 73, 74, 75, or 77,
23 concerning arson.

24 (j) A violation of section 93, 94, 95, or 96, concerning bank
25 bonds, bills, notes, and property.

26 (k) A violation of section 110 or 110a, concerning breaking
27 and entering or home invasion.

1 (l) A violation of section 117, 118, 119, 120, 121, or 124,
2 concerning bribery.

3 (m) A violation of section 120a, concerning jury tampering.

4 (n) A violation of section 145c, concerning child sexually
5 abusive activity or material.

6 (o) A violation of section 145d, concerning internet or
7 computer crimes.

8 (p) A felony violation of section 157n, 157p, 157q, 157r,
9 157s, 157t, or 157u, concerning credit cards or financial
10 transaction devices.

11 (q) A felony violation of section 174, 175, 176, 180, 181, or
12 182, concerning embezzlement.

13 (r) A felony violation of chapter XXXIII, concerning
14 explosives and bombs.

15 (s) A violation of section 213, concerning extortion.

16 (t) A felony violation of section 218, concerning false
17 pretenses.

18 (u) A felony violation of section 223(2), 224(1)(a), (b), or
19 (c), 224b, 224c, 224e(1), 226, 227, 234a, 234b, or 237a, concerning
20 firearms or dangerous weapons.

21 (v) A felony violation of chapter XLI, concerning forgery and
22 counterfeiting.

23 (w) A violation of section 271, 272, 273, or 274, concerning
24 ~~securities~~—fraud.

25 (x) A violation of section 300a, concerning food stamps or
26 coupons or access devices.

27 (y) A violation of section 301, 302, 303, 304, 305, 305a, or

1 313, concerning gambling.

2 (z) A violation of section 316 or 317, concerning murder.

3 (aa) A violation of section 330, 331, or 332, concerning horse
4 racing.

5 (bb) A violation of section 349, 349a, or 350, concerning
6 kidnapping.

7 (cc) A felony violation of chapter LII, concerning larceny.

8 (dd) A violation of section 411k, concerning money laundering.

9 (ee) A violation of section 422, 423, 424, or 425, concerning
10 perjury or subornation of perjury.

11 (ff) A violation of section 452, 455, 457, 458, or 459,
12 concerning prostitution.

13 (gg) A violation of chapter LXVIIA, concerning human
14 trafficking.

15 (hh) A violation of section 529, 529a, 530, or 531, concerning
16 robbery.

17 (ii) A felony violation of section 535 or 535a, concerning
18 stolen, embezzled, or converted property.

19 (jj) A violation of chapter LXXXIII-A, concerning terrorism.

20 (kk) A violation of section 5 of 1984 PA 343, MCL 752.365,
21 concerning obscenity.

22 (ll) A felony violation of the identity theft protection act,
23 2004 PA 452, MCL 445.61 to 445.77.

24 (mm) An offense committed within this state or another state
25 that constitutes racketeering activity as defined in 18 USC
26 1961(1).

27 (nn) An offense committed within this state or another state

1 in violation of a law of the United States that is substantially
2 similar to a violation listed in subdivisions (a) through (mm).

3 (oo) An offense committed in another state in violation of a
4 statute of that state that is substantially similar to a violation
5 listed in subdivisions (a) through (mm).

6 (pp) A felony violation of section 909(4) of the Michigan
7 liquor control code of 1998, 1998 PA 58, MCL 436.1909, concerning
8 the illegal sale, delivery, or importation of spirits.

9 Sec. 273. ~~Fraudulently obtaining signature to note, etc. Any A~~
10 ~~person who shall, by representing that he is the agent of any~~
11 ~~person, company, firm or corporation, or by any other means,~~
12 fraudulently ~~obtain~~**OBTAINS** the signature of any person with the
13 intent to cheat and defraud ~~such~~**THAT** person, ~~to any promissory~~
14 ~~note, bill of exchange, due bill, order, contract or any paper~~
15 ~~writing whatever, shall be~~**IS** guilty of **A** felony, ~~punishable by~~
16 ~~imprisonment in the state prison~~**FOR** not more than 10 years or ~~by~~**A**
17 fine of not more than ~~5,000 dollars~~**\$5,000.00, OR BOTH.**