

# HOUSE BILL NO. 4106

January 29, 2019, Introduced by Reps. Wittenberg, Farrington, Berman, Guerra, Marino and LaFave and referred to the Committee on Financial Services.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 248 (MCL 750.248), as amended by 2011 PA 206.

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

1       Sec. 248. (1) A person who falsely makes, alters, forges, or  
2       counterfeits a public record, or a certificate, return, or  
3       attestation of a clerk of a court, register of deeds, notary  
4       public, township clerk, or any other public officer, in relation to  
5       a matter in which the certificate, return, or attestation may be  
6       received as legal proof, or a charter, will, testament, bond,

1 writing obligatory, letter of attorney, policy of insurance, bill  
2 of lading, bill of exchange, promissory note, or an order,  
3 acquittance of discharge for money or other property, or a waiver,  
4 release, claim or demand, or an acceptance of a bill of exchange,  
5 or indorsement, or assignment of a bill of exchange or promissory  
6 note for the payment of money, or an accountable receipt for money,  
7 goods, or other property with intent to injure or defraud another  
8 person is guilty of a felony punishable by imprisonment for not  
9 more than 14 years.

10 (2) This section does not apply to a scrivener's error.

11 **(3) This section applies to a person that accomplishes a**  
12 **violation of subsection (1) by altering a record made utilizing**  
13 **distributed ledger technology.**

14 **(4) ~~(3)~~**The venue in a prosecution under this section may be  
15 in the county in which the forgery was performed; in a county in  
16 which a false, forged, altered, or counterfeit record, instrument,  
17 or other writing is uttered and published with intent to injure or  
18 defraud; or in the county in which the rightful property owner  
19 resides.

20 **(5) As used in this section, "distributed ledger technology"**  
21 **means any distributed ledger protocol and supporting**  
22 **infrastructure, including blockchain, that uses a distributed,**  
23 **decentralized, shared, and replicated ledger, whether use of the**  
24 **ledger is public or private, permissioned or permissionless, and**  
25 **that may include the use of electronic currencies or electronic**  
26 **tokens as a medium of electronic exchange.**

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