

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.248 Alteration, forgery, or counterfeit of public record; intent; felony; penalty; exception; venue; court order.

Sec. 248. (1) A person who falsely makes, alters, forges, or counterfeits a public record, or a certificate, return, or attestation of a clerk of a court, register of deeds, notary public, township clerk, or any other public officer, in relation to a matter in which the certificate, return, or attestation may be received as legal proof, or a charter, deed, will, testament, bond, writing obligatory, letter of attorney, policy of insurance, bill of lading, bill of exchange, promissory note, or an order, acquittance of discharge for money or other property, or a waiver, release, claim or demand, or an acceptance of a bill of exchange, or indorsement, or assignment of a bill of exchange or promissory note for the payment of money, or an accountable receipt for money, goods, or other property with intent to injure or defraud another person is guilty of a felony punishable by imprisonment for not more than 14 years.

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

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

(4) If in the proceedings resulting in a conviction under this section, or for any lesser included offense, the circuit court finds that the person made, altered, forged, or counterfeited a deed, discharge of mortgage, or other real estate document, the circuit court shall enter an order indicating that the document is invalid and requiring a copy of the invalid document and a certified copy of the order to be recorded in the office of the register of deeds of any county where the subject property is located, as provided in section 2935 of the revised judicature act of 1961, 1961 PA 236, MCL 600.2935. If the invalid document has previously been recorded, the prosecutor shall provide the circuit court with the liber and page number or unique identifying reference number of the invalid document, which shall be included in the order. The register of deeds shall make reference to the liber and page number or unique identifying reference number of the invalid document in the index of the recorded documents. Any recording fees incurred under this subsection shall be paid as ordered by the court.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.248;—Am. 1964, Act 101, Eff. Aug. 28, 1964;—Am. 1967, Act 64, Eff. Nov. 2, 1967;—Am. 1991, Act 145, Imd. Eff. Nov. 25, 1991;—Am. 2008, Act 378, Imd. Eff. Dec. 23, 2008.

Former law: See section 1 of Ch. 155 of R.S. 1846, being CL 1857, § 5802; CL 1871, § 7631; How., § 9213; CL 1897, § 11659; CL 1915, § 15432; and CL 1929, § 17048.