[No. 363]

(HB 5758)

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 14 of chapter XVII (MCL 777.14), as amended by 2000 PA 279.

The People of the State of Michigan enact:

CHAPTER XVII

777.14 Chapters 400 to 499 of Michigan Compiled Laws; felonies to which chapter applicable. [M.S.A. 28.1274(24)]

Sec. 14. This chapter applies to the following felonies enumerated in chapters 400 to 499 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
400.60(2)	Property	H	Welfare—obtaining over \$500	
			by failure to inform	4
400.603	Pub trst	G	Medicaid fraud—false statement in	
			benefit/concealing information	4
400.604	Pub trst	G	Medicaid fraud—kickback/referral	
			fees	4
400.605	Pub trst	G	Medicaid fraud—false statement	
			regarding institutions	4
400.606	Property	\mathbf{E}	Medicaid fraud—conspiracy	10
400.607	Pub trst	G	Medicaid fraud—false claim/	
			medically unnecessary	4
400.609	Property	D	Medicaid fraud—fourth or	
			subsequent offense	10

400.713(13)	Pub saf	Η	Adult foster care—unlicensed	
			facility	2
	Pub saf	\mathbf{F}	Adult foster care—unlicensed	_
400 =22(4)	D 1 4		facility— subsequent violation	5
400.722(4)	Pub saf	\mathbf{F}	Adult foster care—maintaining	
			operation after refusal of	-
400 109E/E)	Damasn	Н	licensure	5
408.1035(5)	Person	н	MIOSHA violation causing	1
	Person	G	employee death MIOSHA violation causing	1
	1 erson	u	employee death— subsequent	
			offense	3
408.1035a(5)	Person	Н	MIOSHA violation causing	0
400.1000a(0)	1 CI SOII	11	employee death	1
	Person	G	MIOSHA violation causing	-
	1 012011	<u> </u>	employee death—	
			subsequent offense	3
409.122(2)	Person	G	Employment of children during	
			certain hours—second offense	2
	Person	\mathbf{E}	Employment of children during	
			certain hours—third or subse-	
			quent offense	10
409.122(3)	Person	D	Employment of children in child	
			sexually abusive activity	20
421.54(a)(ii)(B)	Property	Η	Unemployment comp fraud—	
			failure to comply with	2
401 547)(**)(0)	D 4	C	act/rule \$25,000-\$100,000	2
421.54(a)(ii)(C)	Property	G	Unemployment comp fraud—	
			failure to comply with	5
491 54(a)(ia)(P)	Property	Н	act/rule over \$100,000 Unemployment comp fraud—	Э
421.54(a)(iv)(B)	Troperty	11	willful violation of	
			act/rule over \$100,000	2
421.54(b)(ii)(B)	Property	Н	Unemployment comp fraud—	
121.01(0)(00)(15)	rioperty		false statement or	
			misrepresent over \$25,000	2
421.54(b)(ii)(C)	Property	$_{\mathrm{H}}$	Unemployment comp fraud—	
	1 0		false statement or misrepre-	
			sentation without actual loss	2
421.54(d)	Property	Η	Unemployment comp fraud—	
			disclose confidential	
			information for financial gain	1
421.54a	Property	\mathbf{G}	Unemployment comp fraud—	
			false statement as condition of	4.0
401 541 (1)(2)	D 4		employment	10
421.54b(b)(i)	Property	Η	Unemployment comp fraud—	
			conspiracy with loss of \$25,000	o
491 54h(h)(ii)	Proports	G	or less	2
421.54b(b)(ii)	Property	G	Unemployment comp fraud— conspiracy with loss over	
			\$25,000	5
			ψΔ0,000	Ð

421.54b(b)(iii)	Property	Н	Unemployment comp fraud—	
101 71 71 110	.		conspiracy with no actual loss	2
421.54c(b)(ii)	Property	Η	Unemployment comp fraud—	
			embezzlement of \$25,000 to	
		~	under \$100,000	2
421.54c(b)(iii)	Property	\mathbf{G}	Unemployment comp fraud—	
			embezzlement of \$100,000 or	_
			more	5
421.54c(b)(iv)	Property	Η	Unemployment comp fraud—	
			embezzlement with no actual	
404.05=		~	loss	2
431.257	Pub trst	G	Racing, boxing and exhibition racing	2
431.307(8)	Pub trst	\mathbf{G}	Horse racing—testifying falsely	
			to commissioner while under	
101 000(1)		~	oath	4
431.330(4)	Pub trst	\mathbf{G}	Horse racing—administering a	
			drug that could affect racing	_
101 000	70.1	~	condition	5
431.332	Pub trst	\mathbf{G}	Horse racing—influencing or	
			attempting to influence result	_
492.90	D 4	a	of race	5
432.30	Property	G	Lottery—forgery of tickets	5
432.218	Pub ord	D	Casino gaming offenses	10
436.1701(2)	Person	D	Selling alcohol to a minor and	10
496 1000(9)	D 1 1	TT	causing death	10
436.1909(3)	Pub ord	Н	Liquor violation	1
436.1919	Pub ord	Η	Fraudulent documents, labels, or	1
490-41	D	177	stamps	1
438.41	Property	E	Criminal usury	5
440.9320(8)	Property	G	Farming—illegal sale of secured	9
440.010	Pub trst	E	products Sales—false statement	3 5
442,219	Pub trst Pub trst	E		Э
443.50	rub trst	Ŀ	Issuing warehouse receipt for	5
443.52	Pub trst	Е	goods not received	9
445.52	rub trst	Ŀ	Issuing duplicate warehouse receipt not so marked	5
444.13	Pub trst	Н	Warehousemen and warehouse	9
444.10	1 ub tist	11	receipts	2
444.107	Pub trst	Е	Warehouse certificates—willfully	4
111.101	1 ub tist	ш	alter or destroy	5
445.487(2)	Pub ord	Н	Precious metal and gem dealer	9
110.101(2)	1 do ord	11	failure to record material	
			matter—subsequent offense	2
445.488(2)	Pub ord	Н	Precious metal and gem dealer	_
110.100(2)	1 do ord	11	violations—subsequent offense	2
445.489	Pub ord	Н	Precious metal and gem dealer	_
110,100	I ub oru	11	violations	2
445.490	Pub ord	Н	Precious metal and gem dealer	-
110.100	1 40 014	**	failure to obtain a certificate	
			of registration	2
445.779	Pub ord	Н	Antitrust violation	2
_100	2 4.0 014			-

445.1505	Pub trst	G	Franchise investment law—	7
445.1508	Pub trst	G	fraudulent filing/offers Franchise investment law—sale	7
			without proper disclosure	7
445.1513	Pub trst	G	Franchise investment law—illegal offers/sales	7
445.1520	Pub trst	G	Franchise investment law—	4
			keeping records	7
445.1521	Pub trst	G	Franchise investment law— false representation	7
445.1523	Pub trst	G	Franchise investment law—false	•
			statements of material fact	7
445.1525	Pub trst	G	Franchise investment law—false advertising	7
445.1528	Pub trst	D	Pyramid/chain promotions—offer	4
			or sell	7
445.1671	Pub trst	\mathbf{E}	Mortgage brokers, lenders— knowingly giving a false state-	
			ment	15
445.1679	Pub trst	Н	Mortgage brokers act—general	
			violations	3
450.775	Pub ord	Η	Corporations—minority and woman owned businesses	2
450.795	Pub ord	Н	Corporations—handicapper business	4
	_ ****		opportunity act	2
451.319	Pub trst	G	Securities, real estate, and debt	0
451.434	Pub trst	Н	management—violation Debt management act—licensee	2
401,104	I ub tist	11	violations	2
451.501	Pub trst	\mathbf{E}	Blue sky laws—fraudulent	
451 500	Dl. 44	177	schemes/statements	10
451.502	Pub trst	E	Blue sky laws—investment advisor/agent fraud	10
451.503	Pub trst	\mathbf{E}	Blue sky laws—make/sell false	
		_	bullion/certificates	10
451.601	Pub trst	\mathbf{E}	Blue sky laws—unregistered broker/dealer/agent/advisor	10
451.603(h)	Pub trst	\mathbf{E}	Blue sky laws—fail to notify	10
			administrator of sanctions	10
451.604(a)(1)(J) to		_	.	4.0
(S) and (V) to (Z)		E	Blue sky laws—various violations	10
451.701	Pub trst	E	Blue sky laws—offer/sell unregistered securities	10
451.802	Pub trst	\mathbf{E}	Blue sky laws—unlawfully selling	
451 004	D 1 / /	Г	securities	10
451.804	Pub trst	E	Blue sky laws—willful false statements	10
451.805(b)	Pub trst	\mathbf{E}	Blue sky laws—false representa-	
			tion of administrative approval	10

451.806(b)	Pub trst	E	Blue sky laws—improper disclosure by cor and sec bur	
			employee	10
462,257(1)	Person	A	Trains—endangering travel	Life
462.353(5)	Pub saf	E	Operating a locomotive under	ше
402,333(3)	i ub sai	15	the influence—third or	4
4=0.00	D 1 0		subsequent offense	4
472.36	Pub saf	A	Street railways—obstruction of	T . a
	_		track	Life
482.44	Property	H	Bills of lading—issuance for	
			goods not received	5
482.46	Property	Н	Bills of lading—issuance of	
			duplicate not so marked	5
482.48	Property	Η	Bills of lading—negotiation when	
			goods not in carriers' possession	5
482.49	Property	Η	Bills of lading—inducing carrier	
			to issue when goods have not	
			been received	5
482.50	Property	Η	Bills of lading—issuance of non-	
			negotiable bill not so marked	5
483.226	Pub trst	\mathbf{E}	Officer of a pipeline company—	
			intent to defraud—stock	10
487.1505(6)	Pub trst	\mathbf{E}	BIDCO act—knowingly receiving	
			money or property at an	
			interest rate exceeding 25%	5
492.137(a)	Pub trst	Н	Installment sales of motor vehicles	3
493.56a(13)	Pub trst	\mathbf{C}	False statement in reports—	
` '			secondary mortgage	15
493.77(2)	Pub trst	Н	Regulatory loans	3
,			<i>y</i>	-

Conditional effective date.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 5228 of the 90th Legislature is enacted into law.

Effective date.

Enacting section 2. This amendatory act takes effect July 1, 2001.

Approved December 28, 2000.

Filed with Secretary of State December 28, 2000.

Compiler's note: House Bill No. 5228, referred to in enacting section 1, was filed with the Secretary of State December 28, 2000, and became P.A. 2000, No. 348, Eff. July 1, 2001.