[No. 457]

(HB 4779)

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 12 of chapter XVII (MCL 777.12), as amended by 2000 PA 279.

The People of the State of Michigan enact:

CHAPTER XVII

777.12 Chapters 200 to 299 of Michigan Compiled Laws; felonies to which chapter applicable. [M.S.A. 28.1274(22)]

Sec. 12. This chapter applies to the following felonies enumerated in chapters 200 to 299 of the Michigan Compiled Laws:

| M.C.L. | Category | Class | Description | Stat Max |
|--------------|----------|-------|---|----------|
| 205.27(1)(a) | Pub trst | G | Failure to file or false tax return or payment | 5 |
| 205.27(1)(b) | Pub trst | G | Aiding and abetting tax evasion or filing false returns | 5 |
| 205.27(1)(c) | Pub trst | G | Making/permitting false tax returns or payments | 5 |
| 205.27(3) | Pub trst | G | False tax returns/perjury | 15 |
| 205.28(1)(e) | Pub trst | G | State employee compromising taxes | g 5 |
| 205.28(1)(f) | Pub trst | G | Unauthorized disclosure of tax information | 5 |
| 205.428(2) | Pub trst | G | Tobacco products tax act violations | 5 |

| 205.428(3) | Pub trst | G | Illegal sale of cigarettes or | |
|-------------|------------|--------------|---|----|
| | | | other tobacco products | |
| | | | with wholesale price of | |
| | | | \$250.00 or more | 5 |
| 205.428(6) | Pub trst | \mathbf{F} | Illegal tobacco stamp or | |
| | | | tobacco stamp device | 10 |
| 205.428(7) | Pub trst | G | Illegal vending machine license, | |
| | | | disk, or marker | 5 |
| 207.118a | Pub ord | G | Gasoline tax—embezzlement | |
| | | | over \$100 | 10 |
| 207.119 | Pub trst | G | Gasoline or motor fuel tax | |
| | | | violation | 4 |
| 207.127c | Pub ord | G | Diesel fuel tax—embezzle- | |
| _011_10 | 2 0.0 02 0 | <u>~</u> | ment over \$100 | 10 |
| 207.754(3) | Pub trst | G | State treasurer—municipality | 10 |
| 201.101(0) | 1 40 0100 | ď | tax—divulging confidential | |
| | | | information | 5 |
| 252.311 | Property | Н | Destroying a tree or shrub to | 9 |
| 202,011 | Troperty | 11 | make a sign more visible | 2 |
| 257.233a(7) | Pub ord | G | Odometer tampering | 5 |
| 257.254 | Property | E | Possessing stolen vehicle title | 10 |
| | | G | | 10 |
| 257.257(1) | Property | G | Altering or forging vehicle documents—first offense | F |
| 075 075(0) | D 4 | a | | 5 |
| 257.257(2) | Property | G | Altering or forging vehicle | - |
| 055 055(0) | D 4 | | documents—second offense | 7 |
| 257.257(3) | Property | \mathbf{E} | Altering or forging vehicle | |
| | | | documents—third or sub- | 1- |
| 255 222(2) | | - | sequent offense | 15 |
| 257.309(6) | Pub ord | \mathbf{F} | Corrupting an examining | _ |
| | | _ | officer | 5 |
| 257.309(7) | Pub ord | \mathbf{F} | Deviating from road test | _ |
| | | | criteria | 5 |
| 257.309(8) | Pub ord | \mathbf{F} | Forging, counterfeiting, or | |
| | | | altering road test certifi- | |
| | | | cation | 5 |
| 257.312b(6) | Pub ord | \mathbf{F} | Corrupting a person or agency | |
| | | | conducting a motorcycle | |
| | | | driving test | 5 |
| 257.312b(7) | Pub ord | \mathbf{F} | Deviating from motorcycle | |
| | | | road test criteria | 5 |
| 257.312b(8) | Pub ord | \mathbf{F} | Forging, counterfeiting, or | |
| | | | altering motorcycle road | |
| | | | test certification | 5 |
| 257.329(1) | Property | G | Possession/sale of stolen or | |
| | | | counterfeit insurance | |
| | | | certificates | 5 |
| 257.329(2) | Property | \mathbf{E} | Possession/sale of stolen or | |
| , , | | | counterfeit insurance | |
| | | | certificates—second offense | 7 |
| 257.329(3) | Property | \mathbf{E} | Possession/sale of stolen or | |
| \-/ | 1 - 0 | | counterfeit insurance | |
| | | | certificates—third or | |
| | | | subsequent offense | 15 |
| | | | | - |

| 257.602a(2) | Pub saf | G | Fleeing and eluding—fourth degree | 2 |
|-------------------|----------|--------------|---|--------|
| 257.602a(3) | Pub saf | E | Fleeing and eluding—third | _ |
| 257.602a(4) | Person | D | degree Fleeing and eluding—second | 5 |
| 257.602a(5) | Person | \mathbf{C} | degree Fleeing and eluding—first | 10 |
| | | | degree | 15 |
| 257.617 | Person | E | Failure to stop at scene of a serious personal injury accident | 5 |
| 257.625(4) | Person | С | Operating a vehicle under the influence or while impaired causing death | 15 |
| 257.625(5) | Person | E | Operating a vehicle under the influence or while impaired | |
| 257.625(7)(a)(ii) | Person | E | causing serious impairment Operating a vehicle under the influence or while impaired with a minor in the | 5 |
| 257.625(8)(e) | Pub saf | E | vehicle—subsequent offense Operating a vehicle under the ` influence—third or subse- | 5 |
| 257.625(9)(b) | Person | E | quent offense Allowing a vehicle to be operated while under the influence or impaired | 5 |
| 257.625(9)(c) | Person | G | causing death Allowing a vehicle to be operated while under the influence or impaired causing serious impairment | 5 2 |
| 257.625(10)(c) | Pub saf | E | Impaired driving—third or subsequent offense | 5 |
| 257.625k(7) | Pub saf | D | Knowingly providing false information concerning an | |
| 257.625k(9) | Pub saf | D | ignition interlock device Failure to report that an ignition interlock device does not meet legal | 10 |
| 257.625m(5) | Pub saf | E | requirement Commercial drunk driving— | 10 |
| 257.744a | Pub saf | D | third or subsequent offense False statement in citation— | 5 |
| | | _ | perjury | 15 |
| 257.902 | Pub saf | Е | Motor vehicle code violations | 5 |
| 257.903(1) | Property | Е | Motor vehicle code—false certification—first offense | 5 |
| 257.903(2) | Property | E | Motor vehicle code—false certification—second offense | 7 |

| 257.903(3) | Property | D | Motor vehicle code—false certification—third or sub- | |
|---------------------|-------------------|--------------|---|--------|
| 257.904(4) | Person | \mathbf{C} | sequent offense Operating a vehicle without | 15 |
| 257.904(5) | Person | Е | a license causing death Operating a vehicle without a license causing serious | 15 |
| 257.904(7) | Person | G | impairment Allowing a vehicle to be operated without a license | 5 |
| | Person | E | causing serious impairment Allowing a vehicle to be operated without a license | 2 |
| 257.1353(2) | Pub trst | Н | causing death Motor vehicle—fail to record material matter—subse- | 5 |
| 257.1354(2) | Pub trst | Н | quent offense Motor vehicle—general violations—subsequent | 2 |
| | 5.1 | | offense | 2 |
| 257.1355 259.183 | Pub trst Property | H E | Motor vehicle—fail to record transaction/falsify records Aircraft—unlawful taking or | 2 |
| 299.109 | Troperty | 12 | tampering | 5 |
| 259.185(4) | Person | С | Operating or serving as crew of aircraft while under the influence causing death | 15 |
| 259.185(5) | Person | Е | Operating or serving as crew of aircraft while under the influence causing serious | |
| 259.185(8) | Pub saf | E | impairment Operating or serving as crew of aircraft while under the influence—third or subse- | 5 |
| 285.82 | Pub trst | Н | quent offense Grain dealers act violations | 5 5 |
| 285.279 | Pub trst | E | Falsely obtaining money— | J |
| 286.455(2) | Pub saf | G | agricultural land Agriculture—hazardous | 10 |
| 200.400(2) | i ub sai | ď | substance | 5 |
| 286.929(4) | Pub trst | G | Organic products act viola- | 4 |
| 287.77(1) | Pub saf | Н | tions Agriculture—livestock condemnation | 4 |
| 287.323(1) | Person | С | Dangerous animal causing death | 15 |
| 287.323(2) | Person | G | Dangerous animal causing serious injury | 4 |
| 287.679 | Pub ord | Н | Dead animals | 1 |
| 287.744(1) | Pub ord | G | Animal industry act violations | 5 |
| 287.855 | Pub saf | G | Agriculture—contaminating livestock/false statement/ | |
| | | | violation of quarantine | 5 |

| Pub ord | G | Cervidae producer violation | 4 |
|----------|---|---|--|
| Pub saf | G | Sale or labeling of oleo- | |
| | | margarine violations | 3 |
| Pub saf | G | Margarine violations | 3 |
| Pub trst | Н | Selling falsely branded cheese | 2 |
| Pub saf | \mathbf{F} | Adulterated, misbranded, or | |
| | | falsely identified food | 4 |
| Person | G | Weights and measures— | |
| | | assaults enforcement officer | 2 |
| Pub trst | G | Weights and measures | 5 |
| Person | G | Motor fuels—assaulting/ | |
| | | _ | |
| | | 9 | 2 |
| Pub trst | Н | Motor fuels violations | 2 |
| | Pub saf Pub saf Pub trst Pub saf Person Pub trst Person | Pub saf G Pub saf G Pub trst H Pub saf F Person G Pub trst G Person G | Pub saf G Sale or labeling of oleo- margarine violations Pub saf G Margarine violations Pub trst H Selling falsely branded cheese Pub saf F Adulterated, misbranded, or falsely identified food Person G Weights and measures— assaults enforcement officer Pub trst G Weights and measures Person G Motor fuels—assaulting/ obstructing director or authorized representative |

Conditional effective date.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 4778 of the 90th Legislature is enacted into law.

Approved January 10, 2001.

Filed with Secretary of State January 10, 2001.

Compiler's note: House Bill No. 4778, referred to in enacting section 1, was filed with the Secretary of State January 10, 2001, and became P.A. 2000, No. 456, Imd. Eff. Jan. 10, 2001.