[No. 13]

(SB 150)

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 13 of chapter XVII (MCL 777.13), as amended by 2000 PA 412.

The People of the State of Michigan enact:

CHAPTER XVII

777.13 Chapters 300 to 399 of Michigan Compiled Laws; felonies to which chapter applicable.

Sec. 13. This chapter applies to the following felonies enumerated in chapters 300 to 399 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
324.1608	Person	G	Resisting and obstructing conservation officer	2
324.2157(3)	Property	Н	State owned property — damages of \$1,000 or more	180 days
324.3115(2)	Pub saf	H	Waste discharge violations	2
324.3115(4)	Pub saf	G	Waste discharge violations —	
			substantial endangerment	5
324.5531(4)	Pub saf	H	Knowingly releasing pollutants	2
324.5531(5)	Pub saf	G	Knowingly releasing pollutants — causing death or serious bodily injury	6
324,5531(6)	Pub saf	C	Knowingly releasing pollutants — resulting in death or serious	Ü
			bodily injury	15

324.8905(2)	Pub saf	Η	Infectious waste/pathological	
904 0007(9)	D 1 6	a	waste/sharps — littering violation	2
324.8905(3)	Pub saf	G	Infectious waste/pathological waste/sharps — littering violation	_
			subsequent offense	 5
324.11151(2)	Pub saf	H	Hazardous waste violations —	
			subsequent offense	2
324.11151(3)	Pub saf	Н	Hazardous waste violation — with	0
324.11151(3)	Pub saf	G	disregard for human life Hazardous waste violation — with	2
524.11151(5)	i ub sai	u	extreme indifference for human lif	e 5
324.12116(2)	Pub saf	H	Waste — false statement or entry	
			in a license application	2
324.20139(3)	Pub saf	Н	Hazardous waste — knowingly	0
324.21324(1)	Pub saf	G	releases or causes the release Underground storage tanks — false	2
324.21324(1)	i ub sai	ď	or misleading information	5
324.21548(1)	Pub trst	H	False statement, report, claim, bid,	· ·
			work invoice, or other request for	
224 2224 242)	D 1 4		payment	5
324.30316(3)	Pub saf	Н	NREPA violation — subsequent offense	2
324.31525	Person	G	NREPA — imminent danger of	4
524.51525	1 CISOII	ď	death or serious injury —	
			subsequent offense	2
324.33939(1)	Pub trst	Η	NREPA violation for commercial	
204 40110(11)	D 1 1	a	purposes	2
324.40118(11)	Pub ord	G	Wildlife conservation — buying selling protected animals —	
			subsequent offense	4
324.51120(2)	Property	Н	Removing forest products over	-
			\$2,500	3
324.51512	Pub saf	D	Willfully setting forest fires	10
324.52908(3)	Property	Η	Illegally cutting, removing, or	
			transporting tree or other plant involving \$1,000 or more	180 days
324.61511	Pub trst	G	False affidavit under NREPA	5
324.61521(1)	Pub trst	G	Evading rule under NREPA	3
324.76107(4)	Pub trst	G	Recovering abandoned property in	
			Great Lakes without permit	2
324.80130d(1)	Pub ord	Н	False representation to obtain	4
324.80130d(2)	Pub ord	G	personal information False representation to obtain	4
524.80150u(2)	1 ub oru	ď	personal information — second	
			offense	7
324.80130d(3)	Pub ord	\mathbf{C}	False representation to obtain	
			personal information — third or	
204 20172	Domesti	C	subsequent offense	15
324.80172	Person	G	Negligent crippling or homicide by vessel	2
324.80173	Person	G	Felonious operation of a vessel	$\frac{2}{2}$
				_

324.80176(4)	Person	\mathbf{C}	Operating a vessel under the	
224 224 = 24=	-	-	influence causing death	15
324.80176(5)	Person	\mathbf{E}	Operating a vessel under the	
			influence causing serious	5
324.80177(1)(c)	Pub saf	E	impairment Operating a vessel under the	9
524.00111(1)(C)	1 ub sai	15	influence — third or subsequent	
			offense	5
324.80319a(1)	Pub ord	Н	False representation to obtain	9
3 = 1,003104(1)	2 40 010		personal information	4
324.80319a(2)	Pub ord	G	False representation to obtain	
, ,			personal information — second	
			offense	7
324.80319a(3)	Pub ord	\mathbf{C}	False representation to obtain	
			personal information — third or	
			subsequent offense	15
324.81120(1)	Pub ord	Η	False representation to obtain	
			personal information	4
324.81120(2)	Pub ord	G	False representation to obtain	
			personal information — second	_
204 01100(2)	D 1 1	a	offense	7
324.81120(3)	Pub ord	\mathbf{C}	False representation to obtain	
			personal information — third or	15
324.81134(6)	Pub saf	Е	subsequent offense Operating an ORV under the	19
324.01134(0)	1 ub sai	15	influence — third or subsequent	
			offense	5
324.81134(7)	Person	\mathbf{C}	Operating an ORV under the	9
021.01101(1)	1 015011	O	influence causing death	15
324.81134(8)	Person	\mathbf{E}	Operating an ORV under the	
` '			influence causing serious	
			impairment	5
324.82126c(1)	Person	G	Operating a snowmobile carelessly or	
			negligently causing death or serious	
			impairment	2
324.82126c(2)	Person	G	Operating a snowmobile without	
			regard to safety causing serious	0
994 09197(4)	D	C	impairment	2
324.82127(4)	Person	С	Operating a snowmobile under the	15
324.82127(5)	Person	E	influence causing death Operating a snowmobile under the	15
524.02121(5)	1 erson	15	influence causing serious	
			impairment	5
324.82128(1)(c)	Pub saf	\mathbf{E}	Operating a snowmobile under the	Ü
(-)(0)			influence — third or subsequent	
			offense	5
324.82160(1)	Pub ord	H	False representation to obtain	
			personal information	4
324.82160(2)	Pub ord	G	False representation to obtain	
			personal information — second	
			offense	7

324.82160(3)	Pub ord	C	False representation to obtain personal information — third or	
			subsequent offense	15
328.232	Property	E	Conversion of funeral contracts	5
333.2685	Person	E	Use of a live human embryo, fetus	J
		_	for nontherapeutic research	5
333.2688	Person	\mathbf{E}	Research on dead embryo or fetus	
			without mother's consent	5
333.2689	Person	\mathbf{E}	Abortion to obtain embryo	5
333.2690	Person	\mathbf{E}	Sale or delivery of fetus or embryo	5
333.2813(3)	Pub trst	F	Unauthorized disclosure of social security number — subsequent offense	4
333.2835(9)	Pub trst	G	Disclosing confidential information —	4
999.2099(0)	1 ub tist	G.	abortion	3
333.5210	Person	F	AIDS — sexual penetration with	J
			uninformed partner	4
333.5661	Person	\mathbf{F}	Fraud resulting in patient death	4
333.7341(8)	CS	G	Delivery or manufacture of imitation	
			controlled substance	2
333.7401(2)(a)(i)	CS	A	Delivery or manufacture of 650 or	
			more grams of certain schedule 1	T + 0
999 5401/9)/ \/''\	aa		or 2 controlled substances	Life
333.7401(2)(a)(ii)	CS	A	Delivery or manufacture of 225 or more but less than 650 grams of	
			certain schedule 1 or 2 controlled	
			substances	30
333.7401(2)(a)(iii)	CS	В	Delivery or manufacture of 50 or	90
		_	more but less than 225 grams of	
			certain schedule 1 or 2 controlled	
			substances	20
333.7401(2)(a)(<i>iv</i>)	CS	D	Delivery or manufacture of less	
			than 50 grams of certain schedule	2.0
999 = 404 (9) (1) (1)	aa	D	1 or 2 controlled substances	20
333.7401(2)(b)(<i>i</i>)	CS	В	Delivery or manufacture of	20
333.7401(2)(b)(<i>ii</i>)	CG	Е	methamphetamine Delivery or manufacture of certain	20
555.1401(2)(D)(tt)	CB	Е	schedule 1, 2, or 3 controlled	
			substances	7
333.7401(2)(c)	CS	\mathbf{F}	Delivery or manufacture of	•
,,,,			schedule 4 controlled substance	4
333.7401(2)(d)(i)	CS	\mathbf{C}	Delivery or manufacture of 45 or	
			more kilograms of marijuana	15
333.7401(2)(d)(ii)	CS	D	Delivery or manufacture of 5 or	
			more but less than 45 kilograms	_
999 7401/9\/4\/:::	. aa	173	of marijuana	7
333.7401(2)(d)(<i>iii</i>)		F	Delivery or manufacture of less than 5 kilograms or 20 plants of	
			marijuana	4
333.7401(2)(e)	CS	G	Delivery or manufacture of	1
			schedule 5 controlled substance	2

333.7401(2)(f)	CS	D	Delivery or manufacture of an official or counterfeit prescription	90
333.7401(2)(g)	CS	D	form Delivery or manufacture of prescription or counterfeit form (other than official)	20
333.7401a	Person	В	Delivering a controlled substance or GBL with intent to commit criminal sexual conduct	20
333.7401b(3)(a)	CS	E	Delivery or manufacture of GBL	7
333.7401b(3)(b)	CS	G	Possession of GBL	2
333.7401c(2)(a)	CS	D	Operating or maintaining controlled	_
333.11010(2)(4)		D	substance laboratory	10
333.7401c(2)(b)	CS	В	Operating or maintaining controlled substance laboratory in presence of minor	20
333.7401c(2)(c)	CS	В	Operating or maintaining controlled substance laboratory involving hazardous waste	20
333.7401c(2)(d)	CS	В	Operating or maintaining controlled substance laboratory near certain places	20
333.7401c(2)(e)	CS	A	Operating or maintaining controlled substance laboratory involving firearm or other harmful device	25
333.7402(2)(a)	CS	D	Delivery or manufacture of certain imitation controlled substances	10
333.7402(2)(b)	CS	E	Delivery or manufacture of schedule 1, 2, or 3 imitation controlled substance	5
333.7402(2)(c)	CS	F	Delivery or manufacture of imitation schedule 4 controlled substance	4
333.7402(2)(d)	CS	G	Delivery or manufacture of imitation schedule 5 controlled substance	2
333.7402(2)(e)	CS	С	Delivery or manufacture of controlled substance analogue	15
333.7403(2)(a)(i)	CS	A	Possession of 650 or more grams of certain schedule 1 or 2 controlled substances by juvenile	Life
333.7403(2)(a)(ii)	CS	A	Possession of 225 or more but less than 650 grams of certain schedule 1 or 2 controlled substances	30
333.7403(2)(a)(iii) CS	В	Possession of 50 or more but less than 225 grams of certain schedule 1 or 2 controlled substances	20
333.7403(2)(a)(iv)	CS	G	Possession of 25 or more but less than 50 grams of certain schedule 1 or 2 controlled substances	4

333.7403(2)(a)(v)	CS	G	Possession of less than 25 grams of	
			certain schedule 1 or 2 controlled	4
333.7403(2)(b)(<i>i</i>)	CS	D	substances Possession of methamphetamine	10
333.7403(2)(b)(<i>ii</i>)		G	Possession of certain schedule 1, 2,	10
555.1405(2)(1)(11)	CD	d	3, or 4 controlled substances or	2
000 7400(0)()	aa.	TT	controlled substances analogue	2
333.7403(2)(e)	CS	Н	Possession of official prescription form	1
333.7405(a)	CS	G	Controlled substance violations by	1
555.1 105(a)	CD	a	licensee	2
333.7405(b)	CS	G	Manufacturing or distribution	
			violations by licensee	2
333.7405(c)	CS	G	Refusing lawful inspection	2
333.7405(d)	CS	G	Maintaining drug house	2
333.7407(1)(a)	CS	G	Controlled substance violations by	
			licensee	4
333.7407(1)(b)	CS	G	Use of fictitious, revoked, or	
222 - 42-(1) ()	~~	~	suspended license number	4
333.7407(1)(c)	CS	G	Obtaining controlled substance by	4
999 7407(1)(3)	CS	G	fraud	4
333.7407(1)(d)	CS	G	False reports under controlled substance article	4
333.7407(1)(e)	CS	G	Possession of counterfeiting	4
000.1401(1)(0)	CB	ď	implements	4
333.7407(1)(f)	CS	F	Disclosing or obtaining prescription	_
			information	4
333.7407(1)(g)	CS	\mathbf{F}	Possession of counterfeit	
			prescription form	4
333.7407(2)	CS	G	Refusing to furnish records under	
			controlled substance article	4
333.7410a	CS	G	Controlled substance offense or	
			offense involving GBL in or near	2
333.10204(1)	Pub ord	F	a park Transferring a human organ for	4
555.10204(1)	rub ora	Г	valuable consideration	4
333.10204(4)	Pub saf	F	Removal of a human organ by an	•
,			unauthorized individual	4
333.10205	Pub saf	\mathbf{F}	Removal of a human organ in an	
			unapproved facility	4
333.13738(2)	Pub saf	\mathbf{F}	Waste disposal violations — second	
		_	offense	5
333.13738(3)	Pub saf	\mathbf{F}	Disposing of waste — indifference	0
	D1£	D	to human life	2
	Pub saf	В	Disposing of waste — extreme indifference to human life	20
333.16170(3)	Pub trst	F	False representation — health	40
999.101 (0(9)	I UD UISU	r	professional recovery program	4
333,16294	Pub saf	\mathbf{F}	Health profession — unauthorized	1
333,10201	2 40 541	•	practice	4
			1	-

333.17766a(2)	CS	\mathbf{F}	Possession of steroids — subsequent	
			offense	4
333.17766a(3)	CS	\mathbf{E}	Delivery or manufacture of steroids	7
333.17766a(4)	$^{\mathrm{CS}}$	G	Delivery of imitation steroids	7
333.17766c(2)	CS	G	Possession of more than 10 grams ephedrine	2
333.20142(5)	Pub trst	\mathbf{F}	False statement — application	
			licensure health facility	4
333.21792	Pub trst	G	Nursing homes — referral fees/	
			bribing officials/accepting bribes	4
338.1053	Pub trst	\mathbf{F}	Private security business and	
			security alarm act violation	4
338.3434a(2)	Pub trst	\mathbf{F}	Unauthorized disclosure of a social	
			security number — subsequent	
			offense	4
388.936	Pub trst	\mathbf{F}	Knowingly making false statement —	
			school district loans	4
388.962	Pub trst	\mathbf{F}	Knowingly making false statement —	
			school district loans	4

Effective date.

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

Conditional effective date.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 38 of the 91st Legislature is enacted into law.

This act is ordered to take immediate effect.

Approved May 29, 2001.

Filed with Secretary of State May 29, 2001.

Compiler's note: Senate Bill No. 38, referred to in enacting section 2, was filed with the Secretary of State May 29, 2001, and became P.A. 2001, No. 12, Eff. July 1, 2001.