

Act No. 316
Public Acts of 2010
Approved by the Governor
December 21, 2010
Filed with the Secretary of State
December 21, 2010
EFFECTIVE DATE: April 1, 2011

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2010**

Introduced by Senators Basham, Jelinek and Jacobs

ENROLLED SENATE BILL No. 225

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 10c of chapter II (MCL 762.10c), as added by 2004 PA 453.

The People of the State of Michigan enact:

CHAPTER II

Sec. 10c. (1) Except as otherwise provided in subsection (3), conduct prohibited by law, or former law, and listed in subsection (2) may be prosecuted in 1 of the following jurisdictions:

- (a) The jurisdiction in which the offense occurred.
- (b) The jurisdiction in which the information used to commit the violation was illegally used.
- (c) The jurisdiction in which the victim resides.

(2) Jurisdiction described under subsection (1) applies to conduct prohibited under 1 or more of the following laws and to conduct that is done in furtherance of or arising from the same transaction as conduct prohibited under 1 or more of the following laws:

- (a) The identity theft protection act, 2004 PA 452, MCL 445.61 to 445.77.
- (b) Former section 285 of the Michigan penal code, 1931 PA 328.
- (c) Section 5 of 1972 PA 222, MCL 28.295.

(d) Section 310(7) or 903 of the Michigan vehicle code, 1949 PA 300, MCL 257.310 and 257.903.

(e) Section 157n, 157p, 157q, 157r, 157v, 157w, 218, 219a, 219e, 248, 248a, 249, 362, 363, or 539k of the Michigan penal code, 1931 PA 328, MCL 750.157n, 750.157p, 750.157q, 750.157r, 750.157v, 750.157w, 750.218, 750.219a, 750.219e, 750.248, 750.248a, 750.249, 750.362, 750.363, and 750.539k.

(3) If a person is charged with more than 1 violation of the identity theft protection act, 2004 PA 452, MCL 445.61 to 445.77, and those violations may be prosecuted in more than 1 jurisdiction, any of those jurisdictions is a proper jurisdiction for all of the violations.

Enacting section 1. This amendatory act takes effect April 1, 2011.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 95th Legislature are enacted into law:

- (a) Senate Bill No. 223.
- (b) Senate Bill No. 226.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved

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Governor