

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

***** 750.248.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 19, 2020 *****

750.248.amended Making, altering, forging, or counterfeiting public record; intent; felony; penalty; exception; venue; "distributed ledger technology" defined.

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, 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) This section applies to a person that accomplishes a violation of subsection (1) by altering a record made utilizing distributed ledger technology.

(4) 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, 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.

(5) As used in this section, "distributed ledger technology" means any distributed ledger protocol and supporting infrastructure, including blockchain, that uses a distributed, decentralized, shared, and replicated ledger, whether use of the ledger is public or private, permissioned or permissionless, and that may include the use of electronic currencies or electronic tokens as a medium of electronic exchange.

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;—Am. 2011, Act 206, Eff. Jan. 1, 2012;—Am. 2019, Act 172, Eff. Mar. 19, 2020.

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.