

# HOUSE BILL No. 6254

November 5, 1998, Introduced by Rep. Varga and referred to the Committee on Regulatory Affairs.

A bill to amend 1989 PA 196, entitled

"An act to abolish the criminal assessments commission; to prescribe certain duties of the crime victim services commission; to create the crime victim's rights fund; to provide for expenditures from the fund; to provide for assessments against criminal defendants and certain juvenile offenders; to provide for payment of crime victim's rights services; and to prescribe the powers and duties of certain state and local agencies and departments,"

by amending section 1 (MCL 780.901), as amended by 1996 PA 520.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. As used in this act:

2       (a) "Commission" means the crime victim services commission  
3 described in section 2 of ~~Act No. 223 of the Public Acts of~~  
4 ~~1976, being section 18.352 of the Michigan Compiled Laws~~ 1976 PA  
5 223, MCL 18.352.

6       (b) "Crime victim's rights services" means services required  
7 to implement fully the crime victim's rights act, ~~Act No. 87 of~~

1 ~~the Public Acts of 1985, being sections 780.751 to 780.834 of the~~  
2 ~~Michigan Compiled Laws~~ 1985 PA 87, MCL 780.751 TO 780.834.

3 (c) "Department" means the department of management and  
4 budget of this state.

5 (d) "Felony" means a violation of a penal law of this state  
6 for which the offender, upon conviction, may be punished by  
7 imprisonment for more than 1 year or an offense expressly desig-  
8 nated by law to be a felony.

9 (e) "Fund" means the crime victim's rights fund created  
10 under section 4.

11 (f) "Juvenile offense" means an offense committed by a juve-  
12 nile under the jurisdiction of the juvenile division of the pro-  
13 bate court or the family division of circuit court under section  
14 2(a)(1) of chapter XIIIA of ~~Act No. 288 of the Public Acts of~~  
15 ~~1939, being section 712A.2 of the Michigan Compiled Laws~~ 1939 PA  
16 288, MCL 712A.2, that if committed by an adult would be a felony,  
17 serious misdemeanor, or a specified misdemeanor if the juvenile's  
18 case is not designated as a case in which the juvenile is to be  
19 tried in the same manner as an adult.

20 (g) "Serious misdemeanor" means that term as defined in  
21 section 61 of ~~Act No. 87 of the Public Acts of 1985, being~~  
22 ~~section 780.811 of the Michigan Compiled Laws~~ THE CRIME VICTIM'S  
23 RIGHTS ACT, 1985 PA 87, MCL 780.811.

24 (h) "Specified misdemeanor" means a misdemeanor violation of  
25 any of the following:

26 (i) Section 602a, 625(1) or (3), 626, or 904 of the Michigan  
27 vehicle code, ~~Act No. 300 of the Public Acts of 1949, being~~

1 ~~sections 257.602a, 257.625, 257.626, and 257.904 of the Michigan~~  
2 ~~Compiled Laws~~ 1949 PA 300, MCL 257.602A, 257.625, 257.626, AND  
3 257.904.

4 (ii) Section 82127(1) or (3) ~~of part 821 (snowmobiles)~~ of  
5 the natural resources and environmental protection act, ~~Act~~  
6 ~~No. 451 of the Public Acts of 1994, being section 324.82127 of~~  
7 ~~the Michigan Compiled Laws~~ 1994 PA 451, MCL 324.82127.

8 (iii) Section 81134(1) or (2) or 81135 of ~~part 811~~  
9 ~~(off-road recreation vehicles) of Act No. 451 of the Public Acts~~  
10 ~~of 1994, being sections 324.81134 and 324.81135 of the Michigan~~  
11 ~~Compiled Laws~~ THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION  
12 ACT, 1994 PA 451, MCL 324.81134 AND 324.81135.

13 (iv) Section 80176(1) or (3) of ~~part 801 (marine safety)~~ of  
14 ~~Act No. 451 of the Public Acts of 1994, being section 324.80176~~  
15 ~~of the Michigan Compiled Laws~~ THE NATURAL RESOURCES AND ENVIRON-  
16 MENTAL PROTECTION ACT, 1994 PA 451, MCL 324.80176.

17 (v) Section 185 of the aeronautics code of the state of  
18 Michigan, ~~Act No. 327 of the Public Acts of 1945, being section~~  
19 ~~259.185 of the Michigan Compiled Laws~~ 1945 PA 327, MCL 259.185.

20 (vi) Part 74 or section 17766a of the public health code,  
21 ~~Act No. 368 of the Public Acts of 1978, being sections 333.7401~~  
22 ~~to 333.7461 and 333.17766a of the Michigan Compiled Laws~~ 1978 PA  
23 368, MCL 333.7401 TO 333.7461 AND 333.17766A.

24 (vii) Section ~~33 of the Michigan liquor control act, Act~~  
25 ~~No. 8 of the Public Acts of the Extra Session of 1933, being~~  
26 ~~section 436.33 of the Michigan Compiled Laws~~ 701 OF THE MICHIGAN  
27 LIQUOR CONTROL CODE OF 1998, 1998 PA 58, MCL 436.1701.

1 (viii) Section 353 or 355 of the railroad code of 1993, ~~Act~~  
2 ~~No. 354 of the Public Acts of 1993, being sections 462.353 and~~  
3 ~~462.355 of the Michigan Compiled Laws~~ 1993 PA 354, MCL 462.353  
4 AND 462.355.

5 (ix) Section 174, 218, 356, 356d, 359, 362, 362a, 377a, 380,  
6 479a, 535, or 540e of the Michigan penal code, ~~Act No. 328 of~~  
7 ~~the Public Acts of 1931, being sections 750.174, 750.218,~~  
8 ~~750.356, 750.356d, 750.359, 750.362, 750.362a, 750.377a, 750.380,~~  
9 ~~750.479a, 750.535, and 750.540e of the Michigan Compiled Laws~~  
10 1931 PA 328, MCL 750.174, 750.218, 750.356, 750.356D, 750.359,  
11 750.362, 750.362A, 750.377A, 750.380, 750.479A, 750.535, AND  
12 750.540E.

13 (x) A local ordinance substantially corresponding to a law  
14 listed in subparagraphs (i) to (ix).