

Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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House Bill 6079 (as passed by the House)  
Sponsor: Representative James Koetje  
House Committee: Criminal Justice  
Senate Committee: Judiciary

Date Completed: 12-3-02

### **CONTENT**

**The bill would amend the Michigan Penal Code to increase the maximum fine for various misdemeanors.** The bill would take effect on January 1, 2003.

The bill would increase the maximum fine from \$100 to \$500 for improper burial of a dead animal; an act against a pregnant woman resulting in physical injury to the embryo or fetus; requiring employees to insure with a particular insurance company; serving nonapproved notice on a debtor; unlawfully advertising, printing, or publishing lottery tickets; falsely reporting a commission of a crime; committing a first offense of unauthorized use of a vehicle without intent to steal; an employee's making a purchase upon public credit for personal use; and knowingly publishing a telecommunications access device with intent that it be used.

The bill would increase the maximum fine from \$100 to \$1,000 for an unmarried woman's concealing the death of her child, and for offering for sale or using a false weight or measure in the buying or selling of any commodity or thing or for hire or reward.

The bill would increase the maximum fine from \$250 to \$750 for failing to register a docked horse; taking money from vending machines or coin changers; breaking into an outside showcase; bribing a law enforcement officer; entering into a contract for the market price-fixing or restricting the amount of production of a product; using reproachful language in print for not accepting or fighting a duel; fee-splitting by a physician; a physician's employing "drummers" to solicit patients; knowingly leasing a house for purposes of prostitution; basing discipline or discharge of a railroad employee on a report of a railroad detective without giving notice to the employee and providing a hearing; and neglecting or refusing to suppress riotous or unlawful assembly.

The bill would increase the maximum fine from \$300 to \$750 for selling kerosene with a flashpoint of less than 100 degrees Fahrenheit.

The bill would increase the maximum fine from \$500 to \$750 for soliciting personal injury claims; selling or buying the identity of a patient; and maliciously using service provided by a communications common carrier.

The bill would increase the maximum fine from \$500 to \$1,000 for fraudulently adulterating any drug or medicine; possessing with intent to sell or selling adulterated cream or butter; committing deceptive or false advertising; advertising a cure or products to treat or cure sexual diseases or loss of manhood, or to produce miscarriage; engaging in trick or acrobatic flying that endangers life or property on the ground; flying below 1,500 feet; intentionally causing physical harm to a police dog or police horse; docking a horse's tail when not medically

necessary; taking or giving bribes for business purposes; interfering with a child custody order; using a child under 16 years old for wire walking, contortionist, gymnast, or obscene purpose if possibly injurious to the child; accepting a bribe to conceal the commission of a felony offense; dueling; smuggling an object to a prisoner to aid in escape; aiding a prisoner to escape; refusing to serve process or apprehend a person resulting in his or her escape; aiding in the escape of a prisoner being transported throughout the State; escaping from lawful custody; falsely acting as a law enforcement officer, conservation officer, constable, or coroner; wearing a disguise to obstruct or hinder due execution of law; impersonating a public officer or public employee and further operation of legal process to affect persons or property; knowingly making a false statement about property value for purposes of obtaining credit; raising false alarm of fire in a public place; counterfeiting an identifying mark or using, possessing, or delivering a counterfeit mark; possessing a counterfeit mark with intent to use or deliver it; marking merchandise as "silver" unless 925/1000 of parts of the article are pure silver; making or selling an article falsely marked as coin or coin silver; obtaining or attempting to register false animals as purebreds; making fraudulent records of milk and butter fat production of cows; practicing medicine under a false or assumed name; accepting money contingent on the outcome of a contest; keeping a gambling house; keeping or operating a room with devices for registering bets or buying or selling betting pools; advertising the making or laying of bets; possessing pool tickets or pool books; winning not more than \$50 by betting; selling or publishing reports of betting odds on certain horse races; participating in any capacity in horseraces not authorized by law; committing lewd and lascivious behavior, indecent exposure, larceny from a vacant building, or a second or subsequent offense of libel and slander; making false or misleading statements regarding insurance companies; removing or destroying a buoy; deserting military service; resisting and inciting resistance to a military draft; concealing or harboring deserters; making an unneeded request for an ambulance; a physician's prescribing drug, poison, or medicine while intoxicated; knowingly selling diseased, corrupted, or unwholesome meat or drink; committing willful neglect of duty by a public officer or employee; an officer's collecting money in excess of a fine due and not paying over the same amount; a public officer's refusing to furnish or copy public documents; equipping a vehicle to receive signals assigned for police purposes; making a false report to a police broadcasting station; and selling any raw or unmanufactured metals by a copper or silver mine employee or other person.

The bill would increase the maximum fine from \$1,000 to \$1,500 for intentionally causing physical harm to a police dog or horse during the commission of a crime; committing a second or subsequent offense of impersonating a public officer or public employee and furthering the operation of legal process to affect people or property; making a false statement in writing to a bank, firm, or corporation engaged in banking regarding the offender's own financial condition or the condition of a bank or firm with which the offender is connected; and using an automobile without authority but without intent to steal.

MCL 750.16 et al.

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bill would have no fiscal impact on the State.

The bill would have an indeterminate fiscal impact on local governments. To the extent that it would raise penal fines, the bill would increase funds available to public libraries.

Fiscal Analyst: Bethany Wicksall

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.