

HOUSE BILL No. 5392

November 1, 2001, Introduced by Reps. Julian, Faunce, O'Neil and McConico and referred to the Committee on Criminal Justice.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11 of chapter XVII (MCL 777.11), as amended by 2000 PA 492, and by adding sections 11a, 11b, 11c, 11d, and 11e to chapter XVII.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 CHAPTER XVII

2 Sec. 11. This chapter applies to ~~the following~~ felonies
3 enumerated in chapters 1 to 199 of the Michigan Compiled Laws ~~+~~
4 AS SET FORTH IN SECTIONS 11A TO 11D OF THIS CHAPTER.

5	M.C.L.	Category	Class	Description	Stat	Max
6	4.421(1)	Pub	trst	G	Lobbyists--compensation	
7					contingent on outcome	
8					of action	3
9	4.421(2)	Pub	trst	G	Lobbyists giving gifts	3

1	18.366(1)	Property	E	False presentation to	
2				crime victim services	
3				commission to obtain	
4				more than \$100	10
5	18.1268(9)	Pub trst	H	Purposefully submitting	
6				false business	
7				certification	Fine
8	21.154	Pub trst	E	Public	
9				officer--embezzlement	5
10	28.214(4)(b)	Pub trst	F	Unauthorized disclosure	
11				of information from	
12				LEIN--subsequent	
13				offense	4
14	28.293(1)	Pub ord	E	False information when	
15				applying for state ID	5
16	28.293(2)	Pub ord	D	False information when	
17				applying for state	
18				ID--second offense	7
19	28.293(3)	Pub ord	C	False information when	
20				applying for state	
21				ID--third or subsequent	
22				offense	15
23	28.295(1)(a)	Pub ord	H	Forging state ID card to	
24				commit felony	4
25	28.295(3)	Property	H	Using stolen state ID	
26				card to commit felony	Variable
27	28.295a(1)	Pub ord	H	False representation to	
28				obtain or misuse per-	
29				sonal information	4
30	28.295a(2)	Pub ord	G	False representation to	
31				obtain or misuse per-	
32				sonal	
33				information--second	
34				offense	7
35	28.295a(3)	Pub ord	C	False representation to	
36				obtain or misuse per-	
37				sonal	
38				information--third or	
39				subsequent offense	15
40	28.422	Pub saf	F	Pistols--license	
41				application forgery	4

1	28.422a(4)	Pub Saf	F	False statement on pistol	
2				sales record	4
3	28.425b(3)	Pub Saf	F	False statement on con-	
4				cealed pistol permit	
5				application	4
6	28.425j(2)	Pub Saf	F	Unlawful granting or	
7				presenting of pistol	
8				training certificate	4
9	28.425o(3)(c)	Pub Saf	F	Carrying concealed pistol	
10				in prohibited	
11				place--third or subse-	
12				quent offense	4
13	28.435	Pub Saf	G	Firearm sale without	
14				trigger lock, gun case,	
15				or storage	
16				container--third or	
17				subsequent offense	2
18	28.729(1)(a)	Pub ord	F	Failure to register as a	
19				sex offender, first	
20				offense	4
21	28.729(1)(b)	Pub ord	D	Failure to register as a	
22				sex offender, second	
23				offense	7
24	28.729(1)(c)	Pub ord	D	Failure to register as a	
25				sex offender, third or	
26				subsequent offense	10
27	35.929	Pub trst	H	Willful falsification in	
28				application for veter-	
29				ans benefits	3
30	35.980	Pub trst	H	False statement in appli-	
31				cation for Korean vet-	
32				erans benefits	3
33	35.1029	Pub trst	H	False statement in appli-	
34				cation for Vietnam vet-	
35				erans benefits	3
36	38.412a(1)	Pub trst	H	County employee providing	
37				answers to county civil	
38				service exam	1
39	38.516	Pub trst	H	Fire and police civil	
40				service--appointment or	
41				employment contrary to	
42				act	2

1	45.82	Pub trst	E	County purchasing	
2				agent--violations in	
3				awarding bids or	
4				contracts	5
5	47.8	Pub trst	H	Payment of claim against	
6				county before audit	2
7	47.56	Pub trst	H	Wayne County treasurer	
8				paying claims without	
9				appropriate signature	2
10	51.364	Pub trst	H	Appointment or selection	
11				contrary to civil serv-	
12				ice commission rules	2
13	110.28	Pub trst	G	Fourth class	
14				cities--misappropriation	
15				of money or property	3
16	117.25(3)	Pub trst	E	Amendment to city	
17				electors--willfully	
18				affixing another's sig-	
19				nature, false	
20				representation	15
21	125.1447	Property	G	Michigan state housing	
22				development	
23				authority--false pre-	
24				tenses over \$100	10
25	168.731(4)	Pub trst	G	Election law--filing cer-	
26				tain false statements	2
27	168.734	Pub trst	G	Election law--election	
28				board refusing to pro-	
29				vide challenger	
30				conveniences	2
31	168.756	Pub trst	E	Elector's false statement	
32				concerning inability to	
33				mark ballot	5
34	168.757	Pub trst	E	Election	
35				inspector--unlawful	
36				conduct	5
37	168.759(8)	Pub trst	E	Forged signature on	
38				absentee ballot	5
39	168.759b	Pub trst	E	False statement in appli-	
40				cation for emergency	
41				absentee ballot	5

1	168.761(5)	Pub trst	E	Assisting an absentee voter in making a false statement	5
2					
3					
4	168.769(4)	Pub trst	E	Voting both in person and by absentee ballot	5
5					
6	168.792a(11)	Pub trst	E	Disclosing how ballot voted or election results early before polls are closed	5
7					
8					
9					
10	168.792a(16)	Pub trst	E	Disclosing election result or how ballot voted	5
11					
12					
13	168.808	Pub trst	E	Untrue statement by member of board of inspectors	4
14					
15					
16	168.873	Pub trst	E	Misconduct of election employee in recount--county and local	5
17					
18					
19					
20	168.887	Pub trst	E	Misconduct of election employee in recount	5
21					
22	168.932(a)	Pub trst	E	Bribing or intimidating voters	5
23					
24	168.932(b)	Pub trst	E	Ballot tampering	5
25	168.932(c)	Pub trst	E	Destroying or falsifying election return or records	5
26					
27					
28	168.932(d)	Pub trst	E	Disclosing votes or obstructing voter	5
29					
30	168.932(e)	Pub trst	E	Absentee ballot tampering	5
31	168.932(f)	Pub trst	E	Election law--possess absent voter ballot delivered to another person	5
32					
33					
34					
35	168.932(g)	Pub trst	E	Suggesting how a disabled voter should vote	5
36					
37	168.932(h)	Pub trst	E	Suggesting or influencing how an absentee voter should vote	5
38					
39					

1	168.932(i)	Pub trst	E	Organizing a meeting	
2				where absentee voter	
3				ballots are to be voted	5
4	168.932a	Pub trst	G	Election offenses	4
5	168.933	Pub trst	E	False swearing to regis-	
6				ter or vote	5
7	168.936	Pub trst	E	Election law--perjury	5
8	168.937	Pub trst	E	Election law--forgery	5
9	169.254	Pub trst	H	Campaign	
10				finance--corporate	
11				contributions	3
12	169.255	Pub trst	H	Campaign	
13				finance--corporate	
14				solicitation for cer-	
15				tain funds	3
16	169.266	Pub trst	H	Campaign	
17				finance--qualified cam-	
18				paign expenditures	3

19 SEC. 11A. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
20 ENUMERATED IN CHAPTERS 1 TO 27 OF THE MICHIGAN COMPILED LAWS:

21	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT MAX
22	4.421(1)	PUB TRST	G	LOBBYISTS--COMPENSATION	
23				CONTINGENT ON OUTCOME	
24				OF ACTION	3
25	4.421(2)	PUB TRST	G	LOBBYISTS GIVING GIFTS	3
26	18.366(1)	PROPERTY	E	FALSE PRESENTATION TO	
27				CRIME VICTIM SERVICES	
28				COMMISSION TO OBTAIN	
29				MORE THAN \$100	10
30	18.1268(9)	PUB TRST	H	PURPOSEFULLY SUBMITTING	
31				FALSE BUSINESS	
32				CERTIFICATION	FINE
33	21.154	PUB TRST	E	PUBLIC	
34				OFFICER--EMBEZZLEMENT	5

35 SEC. 11B. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
36 ENUMERATED IN CHAPTER 28 OF THE MICHIGAN COMPILED LAWS:

1	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT	MAX
2	28.214(4)(B)	PUB TRST	F	UNAUTHORIZED DISCLOSURE		
3				OF INFORMATION FROM		
4				LEIN--SUBSEQUENT		
5				OFFENSE	4	
6	28.293(1)	PUB ORD	E	FALSE INFORMATION WHEN		
7				APPLYING FOR STATE ID	5	
8	28.293(2)	PUB ORD	D	FALSE INFORMATION WHEN		
9				APPLYING FOR STATE		
10				ID--SECOND OFFENSE	7	
11	28.293(3)	PUB ORD	C	FALSE INFORMATION WHEN		
12				APPLYING FOR STATE		
13				ID--THIRD OR SUBSEQUENT		
14				OFFENSE	15	
15	28.295(1)(A)	PUB ORD	H	FORGING STATE ID CARD TO		
16				COMMIT FELONY	4	
17	28.295(3)	PROPERTY	H	USING STOLEN STATE ID		
18				CARD TO COMMIT FELONY	VARIABLE	
19	28.295A(1)	PUB ORD	H	FALSE REPRESENTATION TO		
20				OBTAIN OR MISUSE PER-		
21				SONAL INFORMATION	4	
22	28.295A(2)	PUB ORD	G	FALSE REPRESENTATION TO		
23				OBTAIN OR MISUSE PER-		
24				SONAL		
25				INFORMATION--SECOND		
26				OFFENSE	7	
27	28.295A(3)	PUB ORD	C	FALSE REPRESENTATION TO		
28				OBTAIN OR MISUSE PER-		
29				SONAL		
30				INFORMATION--THIRD OR		
31				SUBSEQUENT OFFENSE	15	
32	28.422	PUB SAF	F	PISTOLS--LICENSE APPLICA-		
33				TION FORGERY	4	
34	28.422A(4)	PUB SAF	F	FALSE STATEMENT ON PISTOL		
35				SALES RECORD	4	
36	28.425B(3)	PUB SAF	F	FALSE STATEMENT ON CON-		
37				CEALED PISTOL PERMIT		
38				APPLICATION	4	
39	28.425J(2)	PUB SAF	F	UNLAWFUL GRANTING OR		
40				PRESENTING OF PISTOL		
41				TRAINING CERTIFICATE	4	

1	28.4250(3)(C)	PUB SAF	F	CARRYING CONCEALED PISTOL	
2				IN PROHIBITED	
3				PLACE--THIRD OR SUBSE-	
4				QUENT OFFENSE	4
5	28.435	PUB SAF	G	FIREARM SALE WITHOUT	
6				TRIGGER LOCK, GUN CASE,	
7				OR STORAGE	
8				CONTAINER--THIRD OR	
9				SUBSEQUENT OFFENSE	2
10	28.729(1)(A)	PUB ORD	F	FAILURE TO REGISTER AS A	
11				SEX OFFENDER, FIRST	
12				OFFENSE	4
13	28.729(1)(B)	PUB ORD	D	FAILURE TO REGISTER AS A	
14				SEX OFFENDER, SECOND	
15				OFFENSE	7
16	28.729(1)(C)	PUB ORD	D	FAILURE TO REGISTER AS A	
17				SEX OFFENDER, THIRD OR	
18				SUBSEQUENT OFFENSE	10

19 SEC. 11C. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 20 ENUMERATED IN CHAPTERS 29 TO 167 OF THE MICHIGAN COMPILED LAWS:

21	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT MAX
22	35.929	PUB TRST	H	WILLFUL FALSIFICATION IN	
23				APPLICATION FOR VETER-	
24				ANS BENEFITS	3
25	35.980	PUB TRST	H	FALSE STATEMENT IN APPLI-	
26				CATION FOR KOREAN VET-	
27				ERANS BENEFITS	3
28	35.1029	PUB TRST	H	FALSE STATEMENT IN APPLI-	
29				CATION FOR VIETNAM VET-	
30				ERANS BENEFITS	3
31	38.412A(1)	PUB TRST	H	COUNTY EMPLOYEE PROVIDING	
32				ANSWERS TO COUNTY CIVIL	
33				SERVICE EXAM	1
34	38.516	PUB TRST	H	FIRE AND POLICE CIVIL	
35				SERVICE--APPOINTMENT OR	
36				EMPLOYMENT CONTRARY TO	
37				ACT	2
38	45.82	PUB TRST	E	COUNTY PURCHASING	
39				AGENT--VIOLATIONS IN	
40				AWARDING BIDS OR	
41				CONTRACTS	5

1	47.8	PUB TRST	H	PAYMENT OF CLAIM AGAINST COUNTY BEFORE AUDIT	2
2					
3	47.56	PUB TRST	H	WAYNE COUNTY TREASURER PAYING CLAIMS WITHOUT APPROPRIATE SIGNATURE	2
4					
5					
6	51.364	PUB TRST	H	APPOINTMENT OR SELECTION CONTRARY TO CIVIL SERVICE COMMISSION RULES	2
7					
8					
9	110.28	PUB TRST	G	FOURTH CLASS CITIES--MISAPPROPRIATION OF MONEY OR PROPERTY	3
10					
11					
12	117.25(3)	PUB TRST	E	AMENDMENT TO CITY ELECTORS--WILLFULLY AFFIXING ANOTHER'S SIGNATURE, FALSE REPRESENTATION	15
13					
14					
15					
16					
17	125.1447	PROPERTY	G	MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY--FALSE PRETENSES OVER \$100	10
18					
19					
20					

21 SEC. 11D. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 22 ENUMERATED IN CHAPTER 168 OF THE MICHIGAN COMPILED LAWS:

23	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT MAX
24	168.731(4)	PUB TRST	G	ELECTION LAW--FILING CERTAIN FALSE STATEMENTS	2
25					
26	168.734	PUB TRST	G	ELECTION LAW--ELECTION BOARD REFUSING TO PROVIDE CHALLENGER CONVENIENCES	2
27					
28					
29					
30	168.756	PUB TRST	E	ELECTOR'S FALSE STATEMENT CONCERNING INABILITY TO MARK BALLOT	5
31					
32					
33	168.757	PUB TRST	E	ELECTION INSPECTOR--UNLAWFUL CONDUCT	5
34					
35					
36	168.759(8)	PUB TRST	E	FORGED SIGNATURE ON ABSENTEE BALLOT	5
37					
38	168.759B	PUB TRST	E	FALSE STATEMENT IN APPLICATION FOR	
39					

1				EMERGENCY ABSENTEE	
2				BALLOT	5
3	168.761(5)	PUB TRST	E	ASSISTING AN ABSENTEE	
4				VOTER IN MAKING A FALSE	
5				STATEMENT	5
6	168.769(4)	PUB TRST	E	VOTING BOTH IN PERSON AND	
7				BY ABSENTEE BALLOT	5
8	168.792A(11)	PUB TRST	E	DISCLOSING HOW BALLOT	
9				VOTED OR ELECTION	
10				RESULTS EARLY BEFORE	
11				POLLS ARE CLOSED	5
12	168.792A(16)	PUB TRST	E	DISCLOSING ELECTION	
13				RESULT OR HOW BALLOT	
14				VOTED	5
15	168.808	PUB TRST	E	UNTRUE STATEMENT BY	
16				MEMBER OF BOARD OF	
17				INSPECTORS	4
18	168.873	PUB TRST	E	MISCONDUCT OF ELECTION	
19				EMPLOYEE IN	
20				RECOUNT--COUNTY AND	
21				LOCAL	5
22	168.887	PUB TRST	E	MISCONDUCT OF ELECTION	
23				EMPLOYEE IN RECOUNT	5
24	168.932(A)	PUB TRST	E	BRIBING OR INTIMIDATING	
25				VOTERS	5
26	168.932(B)	PUB TRST	E	BALLOT TAMPERING	5
27	168.932(C)	PUB TRST	E	DESTROYING OR FALSIFYING	
28				ELECTION RETURN OR	
29				RECORDS	5
30	168.932(D)	PUB TRST	E	DISCLOSING VOTES OR	
31				OBSTRUCTING VOTER	5
32	168.932(E)	PUB TRST	E	ABSENTEE BALLOT TAMPERING	5
33	168.932(F)	PUB TRST	E	ELECTION LAW--POSSESS	
34				ABSENT VOTER BALLOT	
35				DELIVERED TO ANOTHER	
36				PERSON	5
37	168.932(G)	PUB TRST	E	SUGGESTING HOW A DISABLED	
38				VOTER SHOULD VOTE	5

1	168.932(H)	PUB TRST	E	SUGGESTING OR INFLUENCING	
2				HOW AN ABSENTEE VOTER	
3				SHOULD VOTE	5
4	168.932(I)	PUB TRST	E	ORGANIZING A MEETING	
5				WHERE ABSENTEE VOTER	
6				BALLOTS ARE TO BE VOTED	5
7	168.932A	PUB TRST	G	ELECTION OFFENSES	4
8	168.933	PUB TRST	E	FALSE SWEARING TO REGIS-	
9				TER OR VOTE	5
10	168.936	PUB TRST	E	ELECTION LAW--PERJURY	5
11	168.937	PUB TRST	E	ELECTION LAW--FORGERY	5

12 SEC. 11E. THIS CHAPTER APPLIES TO THE FOLLOWING FELONIES
 13 ENUMERATED IN CHAPTERS 169 TO 199 OF THE MICHIGAN COMPILED LAWS:

14	M.C.L.	CATEGORY	CLASS	DESCRIPTION	STAT MAX
15	169.254	PUB TRST	H	CAMPAIGN	
16				FINANCE--CORPORATE	
17				CONTRIBUTIONS	3
18	169.255	PUB TRST	H	CAMPAIGN	
19				FINANCE--CORPORATE	
20				SOLICITATION FOR CER-	
21				TAIN FUNDS	3
22	169.266	PUB TRST	H	CAMPAIGN	
23				FINANCE--QUALIFIED CAM-	
24				PAIGN EXPENDITURES	3