

# SENATE BILL No. 143

January 31, 2007, Introduced by Senators BROWN, JELINEK, KAHN, RICHARDVILLE, BIRKHZOLZ, CROPSEY and PAPPAGEORGE and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
 "The code of criminal procedure,"  
 by amending section 17c of chapter XVII (MCL 777.17c), as added  
 by 2002 PA 28.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1

CHAPTER XVII

2

Sec. 17c. (1) This chapter applies to the following felonies

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enumerated in chapter 752 of the Michigan Compiled Laws:

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M.C.L.	Category	Class	Description	Stat Max
5 752.797(1)(c)	Property	E	Computer fraud – 2 prior convictions or value of \$1,000 to \$20,000	5

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1	752.797(1)(d)	Property	D	Computer fraud – 3 or more prior convictions or value of \$20,000 or more	10
2	752.797(2)(a)	Property	E	Unlawfully accessing <b>OR INSTALLING SPYWARE IN</b> computer, computer system, or computer program	5
3	752.797(2)(b)	Property	D	Unlawfully accessing <b>OR INSTALLING SPYWARE IN</b> computer, computer system, or computer program, with prior conviction	10
4	752.797(3)(b)	Variable	G	Using computer to commit crime punishable by a maximum term of imprisonment of more than 1 year but less than 2 years	2
5	752.797(3)(c)	Variable	F	Using computer to commit crime punishable by a maximum term of imprisonment of at least 2 years but less than 4 years	4
6	752.797(3)(d)	Variable	D	Using computer to commit crime punishable by a maximum term of imprisonment of at least 4 years but less than 10 years	7
7	752.797(3)(e)	Variable	D	Using computer to commit crime punishable by a maximum term of imprisonment of at least 10 years but less than 20 years	10
8	752.797(3)(f)	Variable	B	Using computer to commit crime punishable by a maximum term of imprisonment of at least 20 years or for life	20

1           (2) For a violation of section 797(3) of 1979 PA 53, MCL  
2 752.797, determine the offense category, offense variable level,  
3 and prior record variable level based on the underlying offense.

4           Enacting section 1. This amendatory act does not take effect  
5 unless Senate Bill No. 144

6                   of the 94th Legislature is enacted into law.