

THE MICHIGAN PENAL CODE (EXCERPT)

Act 328 of 1931

CHAPTER I DEFINITIONS

750.5 "Crime" defined.

Sec. 5. "Crime" means an act or omission forbidden by law which is not designated as a civil infraction, and which is punishable upon conviction by any 1 or more of the following:

- (a) Imprisonment.
- (b) Fine not designated a civil fine.
- (c) Removal from office.
- (d) Disqualification to hold an office of trust, honor, or profit under the state.
- (e) Other penal discipline.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.5;—Am. 1978, Act 513, Eff. Mar. 30, 1979.

750.6 Division of crime.

Sec. 6. Division of crime—A crime is:

- 1. A felony; or
- 2. A misdemeanor.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.6.

750.7 Felony; definition.

Sec. 7. Felony—The term "felony" when used in this act, shall be construed to mean an offense for which the offender, on conviction may be punished by death, or by imprisonment in state prison.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.7.

750.8 Misdemeanor; definition.

Sec. 8. Misdemeanor—When any act or omission, not a felony, is punishable according to law, by a fine, penalty or forfeiture, and imprisonment, or by such fine, penalty or forfeiture, or imprisonment, in the discretion of the court, such act or omission shall be deemed a misdemeanor.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.8.

Former law: See section 11 of Ch. XXXV of Act 314 of 1915, being CL 1915, § 13403; CL 1929, § 15150.

750.9 Misdemeanor; definition.

Sec. 9. Misdemeanor—When the performance of any act is prohibited by this or any other statute, and no penalty for the violation of such statute is imposed, either in the same section containing such prohibition, or in any other section or statute, the doing of such act shall be deemed a misdemeanor.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.9.

Former law: See section 26 of Ch. 156 of R.S. 1846, being CL 1857, § 5845; CL 1871, § 7678; How., § 9260; CL 1897, § 11330; CL 1915, § 14997; and CL 1929, § 16588.

750.10 Miscellaneous; definition.

Sec. 10. Miscellaneous—In this act:

The singular number includes the plural and the plural includes the singular.

The masculine gender includes the feminine and neuter genders.

The words "person", "accused", and similar words include, unless a contrary intention appears, public and private corporations, copartnerships, and unincorporated or voluntary associations.

The term "act" or "doing of an act" includes "omission to act".

The word "property" includes any matter or thing upon or in respect to which any offense may be committed.

The word "indictment" includes information, presentment, complaint, warrant and any other formal written accusation.

The word "indictment", unless a contrary intention appears, includes any count thereof.

The term "writing", "written", and any term of like import includes words printed, painted, engraved, lithographed, photographed or otherwise copied, traced or made visible to the eye.

History: 1931, Act 328, Eff. Sept. 18, 1931;—CL 1948, 750.10.

750.10a Sexually delinquent persons; definition.

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Sec. 10a. The term "sexually delinquent person" when used in this act shall mean any person whose sexual behavior is characterized by repetitive or compulsive acts which indicate a disregard of consequences or the recognized rights of others, or by the use of force upon another person in attempting sex relations of either a heterosexual or homosexual nature, or by the commission of sexual aggressions against children under the age of 16.

History: Add. 1952, Act 73, Eff. Sept. 18, 1952.