[No. 104]

(SB 374)

AN ACT to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2000 PA 459.

The People of the State of Michigan enact:

CHAPTER XVII

777.12 Chapters 200 to 299 of Michigan Compiled Laws; felonies to which chapter applicable.

Sec. 12. This chapter applies to the following felonies enumerated in chapters 200 to 299 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
205.27(1)(a)	Pub trst	G	Failure to file or false tax return or payment	5
205.27(1)(b)	Pub trst	G	Aiding and abetting tax evasion or filing false returns	5
205.27(1)(c)	Pub trst	G	Making/permitting false tax returns or payments	5
205.27(3)	Pub trst	G	False tax returns/perjury	15
205.28(1)(e)	Pub trst	G	State employee compromising taxes	5
205.28(1)(f)	Pub trst	G	Unauthorized disclosure of tax information	5
205.428(2)	Pub trst	G	Tobacco products tax act violations	5
205.428(3)	Pub trst	G	Illegal sale of cigarettes or other tobacco products with wholesale	
205.428(6)	Pub trst	\mathbf{F}	price of \$250.00 or more Illegal tobacco stamp or tobacco stamp device	5 10
			builtip do 1100	10

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205.428(7)	Pub trst	G	Illegal vending machine license,	_
207.118a	Pub ord	G	disk, or marker Gasoline tax—embezzlement over	5
201.110a	1 ub ora	ď	\$100	10
207.119	Pub trst	G	Gasoline or motor fuel tax violation	4
207.127c	Pub ord	Ğ	Diesel fuel tax—embezzlement over	-
_0.11_10	1 40 014	<u>~</u>	\$100	10
207.754(3)	Pub trst	G	State treasurer—municipality tax—	
, ,			divulging confidential information	5
252.311	Property	H	Destroying a tree or shrub to make	
			a sign more visible	2
257.233a(7)	Pub ord	G	Odometer tampering	5
257.254	Property	\mathbf{E}	Possessing stolen vehicle title	10
257.257(1)	Property	G	Altering or forging vehicle	
			documents—first offense	5
257.257(2)	Property	G	Altering or forging vehicle	_
a== a== (a)	.	-	documents—second offense	7
257.257(3)	Property	\mathbf{E}	Altering or forging vehicle	
			documents—third or subsequent	15
055 200(C)	Pub ord	172	offense	15
257.309(6)		F	Corrupting an examining officer	5
257.309(7)	Pub ord Pub ord	F F	Deviating from road test criteria	5
257.309(8)	Pub ora	Г	Forging, counterfeiting, or altering road test certification	5
257.312b(6)	Pub ord	\mathbf{F}	Corrupting a person or agency	Э
251.5120(0)	1 ub oru	ľ	conducting a motorcycle driving	
			test	5
257.312b(7)	Pub ord	\mathbf{F}	Deviating from motorcycle road	9
201.0128(1)	1 40 014	•	test criteria	5
257.312b(8)	Pub ord	\mathbf{F}	Forging, counterfeiting, or altering	
			motorcycle road test certification	5
257.329(1)	Property	G	Possession/sale of stolen or counterfeit	
	1 0		insurance certificates	5
257.329(2)	Property	\mathbf{E}	Possession/sale of stolen or counterfeit	
			insurance certificates—	
			second offense	7
257.329(3)	Property	\mathbf{E}	Possession/sale of stolen or counterfeit	
			insurance certificates—third	
OFF 4041 (9)	D	a	or subsequent offense	15
257.601b(3)	Person	\mathbf{C}	Moving violation causing death to	15
055 (01-(0)	D	C	construction worker	15
257.601c(2)	Person	С	Moving violation causing death to	15
257 6025(2)	Pub saf	G	operator of implement of husbandry Fleeing and eluding—fourth degree	$\frac{15}{2}$
257.602a(2) 257.602a(3)	Pub saf	E	Fleeing and eluding—fourth degree Fleeing and eluding—third degree	5
257.602a(4)	Person	D	Fleeing and eluding—second degree	10
257.602a(4) 257.602a(5)	Person	C	Fleeing and eluding—first degree	15
257.617	Person	E	Failure to stop at scene of a serious	10
201,U11	1 (15011	ı.	personal injury accident	5
257.625(4)(a)	Person	\mathbf{C}	Operating a vehicle under the	3
		_	influence or while impaired	
			causing death	15
			~	

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257.625(4)(b)	Person	В	Operating a vehicle under the	
. , , ,			influence or while impaired	
			causing death to certain persons	20
257.625(5)	Person	\mathbf{E}	Operating a vehicle under the	
			influence or while impaired	
			causing serious impairment	5
257.625(7)(a)(ii)	Person	\mathbf{E}	Operating a vehicle under the	
			influence or while impaired with a	
			minor in the vehicle—subsequent	
		_	offense	5
257.625(8)(c)	Pub saf	\mathbf{E}	Operating a vehicle under the	
			influence—third or subsequent	_
OFF 40F(0)(1)	ъ		offense	5
257.625(9)(b)	Person	\mathbf{E}	Allowing a vehicle to be operated	
			while under the influence or	-
057 (05(0)(-)	D	C	impaired causing death	5
257.625(9)(c)	Person	G	Allowing a vehicle to be operated	
			while under the influence or	9
957 695(10)(a)	Pub saf	E	impaired causing serious impairment	2
257.625(10)(c)	rub sai	E	Impaired driving—third or subsequent offense	5
257.625k(7)	Pub saf	D	Knowingly providing false information	J
201.020K(1)	1 ub sai	D	concerning an ignition interlock	
			device	10
257.625k(9)	Pub saf	D	Failure to report illegal ignition	10
201.0201(0)	1 40 541	D	interlock device	10
257.625m(5)	Pub saf	E	Commercial drunk driving—third or	10
		_	subsequent offense	5
257.653a(3)	Person	G	Failure to use due care and caution	
,			causing injury to emergency	
			personnel	2
257.653a(4)	Person	$^{\mathrm{C}}$	Failure to use due care and caution	
			causing death to emergency	
			personnel	15
257.744a	Pub saf	D	False statement in citation—perjury	15
257.902	Pub saf	\mathbf{E}	Motor vehicle code violations	5
257.903(1)	Property	\mathbf{E}	Motor vehicle code—false	
			certification—first offense	5
257.903(2)	Property	\mathbf{E}	Motor vehicle code—false	
		_	certification—second offense	7
257.903(3)	Property	D	Motor vehicle code—false	
			certification—third or	15
055 004(4)	D	C	subsequent offense	15
257.904(4)	Person	С	Operating a vehicle without a	15
957 004(5)	Person	E	license causing death	15
257.904(5)	rerson	E	Operating a vehicle without a license causing serious impairment	5
257.904(7)	Person	G	Allowing a vehicle to be operated	9
201.304(1)	1 er som	u	without a license causing serious	
			impairment	2
	Person	E	Allowing a vehicle to be operated	_
	2 010011		without a license causing death	5
257.1353(2)	Pub trst	Н	Motor vehicle—fail to record material	3
- \ /			matter—subsequent offense	2
			<u> -</u>	

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257.1354(2)	Pub trst	H	Motor vehicle—general violations—	_
			subsequent offense	2
257.1355	Pub trst	Η	Motor vehicle—fail to record	
			transaction/falsify records	2
259.183	Property	\mathbf{E}	Aircraft—unlawful taking or tampering	5
259.185(4)	Person	$^{\mathrm{C}}$	Operating or serving as crew of	
			aircraft while under the influence	
			causing death	15
259.185(5)	Person	\mathbf{E}	Operating or serving as crew of	
			aircraft while under the influence	
			causing serious impairment	5
259.185(8)	Pub saf	\mathbf{E}	Operating or serving as crew of	
			aircraft while under the influence—	
			third or subsequent offense	5
285.82	Pub trst	Η	Grain dealers act violations	5
285.279	Pub trst	\mathbf{E}	Falsely obtaining money—	
			agricultural land	10
286.455(2)	Pub saf	G	Agriculture—hazardous substance	5
286.929(4)	Pub trst	G	Organic products act violations	4
287.323(1)	Person	$^{\mathrm{C}}$	Dangerous animal causing death	15
287.323(2)	Person	G	Dangerous animal causing serious	
			injury	4
287.679	Pub ord	Η	Dead animals—third or subsequent	
			violation	1
287.744(1)	Pub ord	G	Animal industry act violations	5
287.855	Pub saf	G	Agriculture—contaminating	
			livestock/false statement/	
			violation of quarantine	5
287.967(5)	Pub ord	G	Cervidae producer violations	4
288,223	Pub saf	G	Sale or labeling of oleomargarine	
			violations	3
288.257	Pub saf	G	Margarine violations	3
288.284	Pub trst	Η	Selling falsely branded cheese	2
289.5107(2)	Pub saf	\mathbf{F}	Adulterated, misbranded, or falsely	
	_	~	identified food	4
290.629(1)	Person	G	Weights and measures—assaults	
		~	enforcement officer	2
290.631(3)	Pub trst	G	Weights and measures	5
290.650	Person	G	Motor fuels—assaulting/obstructing	
200 (501 (8)	D 1 / /	TT	director or authorized representative	2
290.650b(3)	Pub trst	Η	Motor fuels violations	2

Effective date.

Enacting section 1. This amendatory act takes effect October 1, 2001.

Conditional effective date.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 373 of the 91st Legislature is enacted into law.

This act is ordered to take immediate effect.

Approved July 27, 2001.

Filed with Secretary of State July 30, 2001.

Compiler's note: Senate Bill No. 373, referred to in enacting section 2, was filed with the Secretary of State July 30, 2001, and became P.A. 2001, No. 103, Eff. Oct. 1, 2001.