

# HOUSE BILL No. 5538

May 6, 2014, Introduced by Reps. Durhal, Phelps, Brunner, Smiley, Cavanagh, Townsend, Faris, Tlaib, Rutledge, Roberts, Zemke, Stallworth, Lori, Jacobsen, Somerville, Kelly, Stanley, Talabi and Greimel and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
 "The code of criminal procedure,"  
 by amending section 11b of chapter XVII (MCL 777.11b), as amended  
 by 2012 PA 124.

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

1

CHAPTER XVII

2

Sec. 11b. This chapter applies to the following felonies

3

enumerated in chapter 28 of the Michigan Compiled Laws:

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M.C.L.	Category	Class	Description	Stat Max
28.214(6)(b)	Pub trst	F	Unauthorized disclosure of information from LEIN – subsequent offense	4

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1	28.293(1)	Pub ord	E	False information when applying for state ID	5
2	28.293(2)	Pub ord	D	False information when applying for state ID – second offense	7
3	28.293(3)	Pub ord	C	False information when applying for state ID – third or subsequent offense	15
4	28.295(1) (a)	Pub ord	D	Counterfeiting or forging state ID card or using counterfeited or forged state ID card to commit felony punishable by imprisonment for 10 years or more	10
5	28.295(1) (b)	Pub ord	E	Counterfeiting or forging state ID card or using counterfeited or forged state ID card to commit felony punishable by imprisonment for less than 10 years or a misdemeanor punishable by more than 6 months	5
6	28.295(2)	Pub ord	E	Selling counterfeited or forged state ID card or possessing counterfeited or forged state ID card with intent to deliver to another person or possessing 2 or more counterfeited or forged state ID cards	5

1	28.295(5)	Property	H	Using stolen state ID card to commit felony	Variable
2	28.295a(1)	Pub ord	H	False representation to obtain or misuse personal information	4
3	28.295a(2)	Pub ord	G	False representation to obtain or misuse personal information – second offense	7
4	28.295a(3)	Pub ord	C	False representation to obtain or misuse personal information – third or subsequent offense	15
5	28.308	Pub saf	E	False certification or statement in application for enhanced driver license or enhanced official state personal identification card	5
6	28.422(16)	Pub saf	F	Forgery on pistol —license application	4
7	28.422a(5)	Pub saf	F	False statement on pistol sales record	4
8	28.425b(3)	Pub saf	F	False statement on concealed pistol permit application	4
9	28.425j(2)	Pub saf	F	Unlawful granting or presenting of pistol training certificate	4
10	28.425o(6)(c)	Pub saf	F	Carrying concealed pistol or electro-muscular disruption device in prohibited place – third or subsequent offense	4

1	28.435(14)(c)	Pub saf	G	Firearm sale without trigger lock, gun case, or storage container – third or subsequent offense	2
2	28.454(1)	Pub saf	G	Consumer fireworks certificate violation	2
3	28.468(1)(c)	Pub saf	E	Michigan fireworks safety act violation causing serious impairment	5
4	28.468(1)(d)	Pub saf	C	Michigan fireworks safety act violation causing death	15
5	28.516(2)	Pub saf	F	False statement on concealed firearm certificate application	4
6	28.729(1)(a)	Pub ord	F	Failure to register as a sex offender, first offense	4
7	28.729(1)(b)	Pub ord	D	Failure to register as a sex offender, second offense	7
8	28.729(1)(c)	Pub ord	D	Failure to register as a sex offender, third or subsequent offense	10
9	28.729(2)	Pub ord	F	Failure to update sex offender registration information	2
10	28.734(2)(b)	Pub trst	G	Student safety zone violation involving work or loitering – subsequent offense	2
11	28.735(2)(b)	Pub trst	G	Student safety zone violation involving residency – subsequent offense	2

1	28.754(1)	Pub ord	F	False report of a child abduction	4
2	28.809(1)(A)	PUB ORD	F	FAILURE TO REGISTER AS A STALKING OFFENDER, FIRST OFFENSE	4
3	28.809(1)(B)	PUB ORD	D	FAILURE TO REGISTER AS A STALKING OFFENDER, SECOND OFFENSE	7
4	28.809(1)(C)	PUB ORD	D	FAILURE TO REGISTER AS A STALKING OFFENDER, THIRD OR SUBSEQUENT OFFENSE	10
5	28.809(2)(C)	PUB ORD	F	FAILURE TO UPDATE STALKING OFFENDER REGISTRATION INFORMATION, THIRD OR SUBSEQUENT OFFENSE	4

6 Enacting section 1. This amendatory act takes effect 90 days  
7 after the date it is enacted into law.

8 Enacting section 2. This amendatory act does not take effect  
9 unless Senate Bill No. \_\_\_\_\_ or House Bill No. 5539 (request no.  
10 04339'13) of the 97th Legislature is enacted into law.