

# HOUSE BILL NO. 5319

January 09, 2020, Introduced by Reps. Steven Johnson, Maddock, Bellino, Hoitenga, O'Malley, Meerman, Paquette, Hall, Berman, Green, Markkanen, LaFave, Hornberger, Sheppard, Allor, Eisen, Chirkun, Miller, Wozniak, Marino, Reilly, Lower, Wakeman and Bollin and referred to the Committee on Judiciary.

A bill to amend 1927 PA 175, entitled  
"The code of criminal procedure,"  
by amending sections 11b and 16m of chapter XVII (MCL 777.11b and 777.16m), section 11b as amended by 2016 PA 234 and section 16m as amended by 2018 PA 637.

## 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:		
4	<b>M.C.L.</b>	<b>Category</b>	<b>Class Description</b>
			<b>Stat Max</b>



1	28.214 (6) (b)	Pub trst	F	Unauthorized	
2				disclosure of	
3				information from LEIN	
4				– subsequent offense	4
5	28.293 (1)	Pub ord	E	False information when	
6				applying for state ID	5
7	28.293 (2)	Pub ord	D	False information when	
8				applying for state ID	
9				– second offense	7
10	28.293 (3)	Pub ord	C	False information when	
11				applying for state ID	
12				– third or subsequent	
13				offense	15
14	28.295 (1) (a)	Pub ord	D	Counterfeiting or	
15				forging state ID card	
16				or using counterfeited	
17				or forged state ID	
18				card to commit felony	
19				punishable by	
20				imprisonment for 10	
21				years or more	10



1	28.295 (1) (b)	Pub ord	E	Counterfeiting or	
2				forging state ID card	
3				or using counterfeited	
4				or forged state ID	
5				card to commit felony	
6				punishable by	
7				imprisonment for less	
8				than 10 years or a	
9				misdemeanor punishable	
10				by more than 6 months	5
11	28.295 (2)	Pub ord	E	Selling counterfeited	
12				or forged state ID	
13				card or possessing	
14				counterfeited or	
15				forged state ID card	
16				with intent to deliver	
17				to another person or	
18				possessing 2 or more	
19				counterfeited or	
20				forged state ID cards	5
21	28.295 (5)	Property	H	Using stolen state ID	
22				card to commit felony	Variable
23	28.295a (1)	Pub ord	H	False representation	
24				to obtain or misuse	
25				personal information	4
26	28.295a (2)	Pub ord	G	False representation	
27				to obtain or misuse	
28				personal information –	
29				second offense	7



1	28.295a(3)	Pub ord	C	False representation	
2				to obtain or misuse	
3				personal information –	
4				third or subsequent	
5				offense	15
6	28.308	Pub saf	E	False certification or	
7				statement in	
8				application for	
9				enhanced driver	
10				license or enhanced	
11				official state	
12				personal	
13				identification card	5
14	<del>28.422(14)</del>	<del>Pub saf</del>	<del>F</del>	<del>Forgery on pistol</del>	
15				<del>license application</del>	<del>4</del>
16	<del>28.422a(5)</del>	<del>Pub saf</del>	<del>F</del>	<del>False statement on</del>	
17				<del>pistol sales record</del>	<del>4</del>
18	28.425b(3)	Pub saf	F	False statement on	
19				concealed pistol	
20				permit application	4
21	28.425j(3)	Pub saf	F	Unlawful granting or	
22				presenting of pistol	
23				training certificate	4
24	28.425o(6)(c)	Pub saf	F	Carrying concealed	
25				pistol or electro-	
26				muscular disruption	
27				device in prohibited	
28				place – third or	
29				subsequent offense	4



1	28.435 (14) (c)	Pub saf	G	Firearm sale without	
2				trigger lock, gun	
3				case, or storage	
4				container – third or	
5				subsequent offense	2
6	<del>28.454 (1)</del>	<del>Pub saf</del>	<del>G</del>	<del>Consumer fireworks</del>	
7				<del>certificate violation</del>	<del>2</del>
8	28.468 (1) (c)	Pub saf	E	Michigan fireworks	
9				safety act violation	
10				causing serious	
11				impairment	5
12	28.468 (1) (d)	Pub saf	C	Michigan fireworks	
13				safety act violation	
14				causing death	15
15	28.516 (2)	Pub saf	F	False statement on	
16				concealed firearm	
17				certificate	
18				application	4
19	28.674	Pub saf	F	False report of a	
20				public threat	4
21	28.729 (1) (a)	Pub ord	F	Failure to register as	
22				a sex offender, first	
23				offense	4
24	28.729 (1) (b)	Pub ord	D	Failure to register as	
25				a sex offender, second	
26				offense	7
27	28.729 (1) (c)	Pub ord	D	Failure to register as	
28				a sex offender, third	
29				or subsequent offense	10



1	28.729 (2)	Pub ord	F	Failure to update sex	
2				offender registration	
3				information	2
4	28.734 (2) (b)	Pub trst	G	Student safety zone	
5				violation involving	
6				work or loitering –	
7				subsequent offense	2
8	28.735 (2) (b)	Pub trst	G	Student safety zone	
9				violation involving	
10				residency – subsequent	
11				offense	2
12	28.754 (1)	Pub ord	F	False report of a	
13				child abduction	4

14       Sec. 16m. This chapter applies to the following felonies  
 15 enumerated in chapter 750 of the Michigan Compiled Laws:

16	M.C.L.	Category	Class	Description	Stat Max
17	<del>750.223(2)</del>	Pub saf	F	Sale of firearm to	
18	<b>750.223(1)</b>			minor – subsequent	
19				offense	4
20	<del>750.223(3)</del>	Pub ord	D	Sale of firearm to	
21	<b>750.223(2)</b>			person prohibited from	
22				possessing	10
23	750.224	Pub saf	E	Manufacture or sale of	
24				silencer, bomb,	
25				blackjack, automatic	
26				weapon, gas spray,	
27				etc.	5



1	750.224a (4)	Pub saf	F	Possession or sale of	
2				electrical current	
3				weapons	4
4	750.224a (6)	Pub saf	G	Improper use of	
5				electro-muscular	
6				disruption device	2
7	750.224b	Pub saf	E	Possession of short	
8				barreled shotgun or	
9				rifle	5
10	750.224c	Pub saf	F	Armor piercing	
11				ammunition	4
12	750.224d (2)	Person	G	Using self-defense	
13				spray device	2
14	750.224e	Pub saf	F	Manufacture/sale/posse	
15				ssion of devices to	
16				convert semiautomatic	
17				weapons	4
18	750.224f (5)	Pub saf	E	Possession or sale of	
19				firearm by felon	5
20	750.224f (6)	Pub saf	E	Possession or sale of	
21				ammunition by felon	5
22	750.226	Pub saf	E	Carrying firearm or	
23				dangerous weapon with	
24				unlawful intent	5
25	750.227	Pub saf	E	Carrying a concealed	
26				weapon	5
27	750.227a	Pub saf	F	Unlawful possession of	
28				pistol	4



1	750.227c	Pub saf	G	Possessing a loaded	
2				firearm in or upon a	
3				vehicle	2
4	750.227f	Pub saf	F	Wearing body armor	
5				during commission of	
6				certain crimes	4
7	750.227g(1)	Pub saf	F	Felon purchasing,	
8				owning, possessing, or	
9				using body armor	4
10	750.230	Pub saf	G	Altering ID mark on	
11				firearm	2
12	<del>750.232a(3)</del>	<del>Pub saf</del>	G	<del>False statement in a</del>	
13				<del>pistol application</del>	4
14	750.234a(1) (a)	Pub saf	D	Discharging firearm	
15				from vehicle	10
16	750.234a(1) (b)	Person	C	Discharging firearm	
17				from vehicle causing	
18				physical injury	15
19	750.234a(1) (c)	Person	B	Discharging firearm	
20				from vehicle causing	
21				serious impairment	20
22	750.234a(1) (d)	Person	A	Discharging firearm	
23				from vehicle causing	
24				death	Life
25	750.234b(1)	Pub saf	D	Discharging firearm at	
26				a dwelling or	
27				potentially occupied	
28				structure	10





1	750.234b(2)	Pub saf	D	Discharging firearm in	
2				a dwelling or	
3				potentially occupied	
4				structure	10
5	750.234b(3)	Pub saf	C	Discharging firearm in	
6				or at a dwelling or	
7				potentially occupied	
8				structure causing	
9				physical injury	15
10	750.234b(4)	Person	B	Discharging firearm in	
11				or at a dwelling or	
12				potentially occupied	
13				structure causing	
14				serious impairment	20
15	750.234b(5)	Person	A	Discharging firearm in	
16				or at a dwelling or	
17				potentially occupied	
18				structure causing	
19				death	Life
20	750.234c	Pub saf	F	Discharging firearm at	
21				emergency/police	
22				vehicle	4



1	750.235b(2)	Pub saf	D	Threatening to commit	
2				violent act against	
3				school students or	
4				employees on school	
5				property with an overt	
6				act toward completion	
7				or with specific	
8				intent	10
9	750.236	Person	C	Setting spring gun –	
10				death resulting	15
11	750.237(3)	Person	E	Using firearm while	
12				under the influence or	
13				impaired causing	
14				serious impairment	5
15	750.237(4)	Person	C	Using firearm while	
16				under the influence or	
17				impaired causing death	15
18	Enacting section 1. This amendatory act does not take effect				
19	unless Senate Bill No.____ or House Bill No. 5317 (request no.				
20	03109'19) of the 100th Legislature is enacted into law.				

