

Act No. 215
Public Acts of 2004
Approved by the Governor
July 14, 2004
Filed with the Secretary of State
July 14, 2004
EFFECTIVE DATE: October 12, 2004

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004**

Introduced by Reps. Farhat, Rocca, Ruth Johnson, Ward, Julian, Meyer, Stewart, Hager, Hart, Richardville, DeRossett, Newell, Milosch, Shackleton, LaJoy, Walker, Bisbee, Casperson, Gaffney, Nofs, Moolenaar, Caul, Amos, Robertson, Kooiman, Tabor, Hardman, Voorhees, Middaugh, Bieda, Gleason, Sak and Palsrok

ENROLLED HOUSE BILL No. 5176

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 13n of chapter XVII (MCL 777.13n), as amended by 2003 PA 309.

The People of the State of Michigan enact:

CHAPTER XVII

Sec. 13n. This chapter applies to the following felonies enumerated in chapter 333 of the Michigan Compiled Laws:

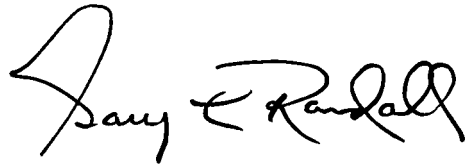
| M.C.L. | Category | Class | Description | Stat Max |
|---------------|-----------------|--------------|--|-----------------|
| 333.10204(1) | Pub ord | F | Transferring a human organ for valuable consideration | 4 |
| 333.10204(4) | Pub saf | F | Removal of a human organ by an unauthorized individual | 4 |
| 333.10205 | Pub saf | F | Removal of a human organ in an unapproved facility | 4 |

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|---------------|----------|---|--|----|
| 333.13738(2) | Pub saf | F | Waste disposal violations — second offense | 5 |
| 333.13738(3) | Pub saf | F | Disposing of waste — indifference to human life | 2 |
| | Pub saf | B | Disposing of waste — extreme indifference to human life | 20 |
| 333.16170(3) | Pub trst | F | False representation — health professional recovery program | 4 |
| 333.16294 | Pub saf | F | Health profession — unauthorized practice | 4 |
| 333.17764(3) | Pub saf | G | Adulterate, misbrand, remove, or substitute a drug or device | 2 |
| 333.17764(4) | Pub saf | F | Adulterate, misbrand, remove, or substitute a drug or device causing personal injury | 4 |
| 333.17764(5) | Pub saf | E | Adulterate, misbrand, remove, or substitute a drug or device causing serious impairment of a body function | 5 |
| 333.17764(6) | Pub saf | C | Adulterate, misbrand, remove, or substitute a drug or device causing death | 15 |
| 333.17766e(2) | CS | G | Possession of more than 12 grams ephedrine or pseudoephedrine | 2 |
| 333.20142(5) | Pub trst | F | False statement — application licensure health facility | 4 |
| 333.21792 | Pub trst | G | Nursing homes — referral fees/bribing officials/accepting bribes | 4 |


Enacting section 1. This amendatory act takes effect 90 days after it is enacted.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 5175 of the 92nd Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor