

Act No. 414  
Public Acts of 2008  
Approved by the Governor  
January 5, 2009  
Filed with the Secretary of State  
January 6, 2009  
EFFECTIVE DATE: March 1, 2009

**STATE OF MICHIGAN  
94TH LEGISLATURE  
REGULAR SESSION OF 2008**

Introduced by Reps. Moss, Marleau, Garfield, Rick Jones, Vagnozzi, David Law, Robertson, LeBlanc, Knollenberg, Agema and Stakoe

# ENROLLED HOUSE BILL No. 5362

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 16s of chapter XVII (MCL 777.16s), as amended by 2005 PA 106.

*The People of the State of Michigan enact:*

## CHAPTER XVII

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

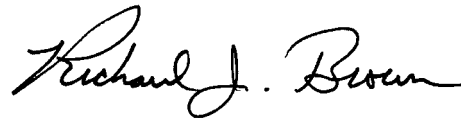
<b>M.C.L.</b>	<b>Category</b>	<b>Class</b>	<b>Description</b>	<b>Stat Max</b>
750.377a(1)(a)	Property	D	Malicious destruction of personal property involving \$20,000 or more or with prior convictions	10
750.377a(1)(b)	Property	E	Malicious destruction of personal property involving \$1,000 to \$20,000 or with prior convictions	5
750.377b	Property	F	Malicious destruction of fire/police property	4
750.377c	Property	E	School bus — intentional damage	5
750.378	Property	F	Malicious destruction of property — dams/canals/mills	4
750.379	Property	F	Malicious destruction of property — bridges/railroads/locks	4
750.380(2)	Property	D	Malicious destruction of building involving \$20,000 or more or with prior convictions	10

750.380(3)	Property	E	Malicious destruction of a building involving \$1,000 to \$20,000 or with prior convictions	5
750.382(1)(c)	Property	E	Malicious destruction of plants or turf involving \$1,000 to \$20,000 or with prior convictions	5
750.382(1)(d)	Property	D	Malicious destruction of plants or turf involving \$20,000 or more or with prior convictions	10
750.383a	Property	E	Malicious destruction of utility equipment or utility infrastructure component	5
750.386	Property	E	Malicious destruction of mine property	20
750.387(5)	Property	E	Malicious destruction of a tomb or memorial involving \$1,000 to \$20,000 or with prior convictions	5
750.387(6)	Property	D	Malicious destruction of a tomb or memorial involving \$20,000 or more or with prior convictions	10
750.392	Property	E	Malicious destruction of property — vessels	10
750.394(2)(c)	Person	F	Throwing or dropping dangerous object at vehicle causing injury	4
750.394(2)(d)	Person	D	Throwing or dropping dangerous object at vehicle causing serious impairment	10
750.394(2)(e)	Person	C	Throwing or dropping dangerous object at vehicle causing death	15
750.395(2)(c)	Property	E	Damaging or destroying research property with a value between \$1,000 and \$20,000 or with prior convictions	5
750.395(2)(d)	Property	E	Damaging or destroying research property with a value of \$20,000 or more or 2 or more prior convictions	5
750.395(2)(e)	Person	E	Damaging or destroying research property resulting in physical injury	5
750.395(2)(f)	Person	D	Damaging or destroying research property resulting in serious impairment of body function	10
750.395(2)(g)	Person	C	Damaging or destroying research property resulting in death	15
750.397	Person	D	Mayhem	10
750.397a	Person	D	Placing harmful objects in food	10
750.405	Pub saf	E	Inciting soldiers to desert	5
750.406	Pub saf	E	Military stores — larceny, embezzlement or destruction	5

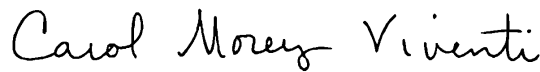
Enacting section 1. This amendatory act takes effect March 1, 2009.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 5361 of the 94th Legislature is enacted into law.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor