

**SUBSTITUTE FOR  
HOUSE BILL NO. 5194**

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
by amending section 159g (MCL 750.159g), as amended by 2022 PA 174.

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

1           Sec. 159g. As used in this chapter, "racketeering" means  
2 committing, attempting to commit, conspiring to commit, or aiding  
3 or abetting, soliciting, coercing, or intimidating a person to  
4 commit an offense for financial gain by obtaining money, property,  
5 or any other thing of value, involving any of the following:

6           (a) A felony violation of section 8 of the tobacco products  
7 tax act, 1993 PA 327, MCL 205.428, concerning tobacco product  
8 taxes, or section 9 of former 1947 PA 265, concerning cigarette  
9 taxes.



1           **(b) A violation of section 254 or 257 of the Michigan vehicle**  
2 **code, 1949 PA 300, MCL 257.254 and 257.257.**

3           **(c) ~~(b)~~**A violation of section 11151(3) of the natural  
4 resources and environmental protection act, 1994 PA 451, MCL  
5 324.11151, or section 48(3) of former 1979 PA 64, concerning  
6 felonious disposal of hazardous waste.

7           **(d) ~~(e)~~**A felony violation of part 74 of the public health  
8 code, 1978 PA 368, MCL 333.7401 to 333.7461, concerning controlled  
9 substances.

10           **(e) ~~(d)~~**A felony violation of section 7340, 7340c, or 17766c  
11 of the public health code, 1978 PA 368, MCL 333.7340, 333.7340c,  
12 and 333.17766c, concerning ephedrine or pseudoephedrine.

13           **(f) ~~(e)~~**A felony violation of section 60 of the social welfare  
14 act, 1939 PA 280, MCL 400.60, concerning welfare fraud.

15           **(g) ~~(f)~~**A violation of section 4, 5, or 7 of the medicaid  
16 false claim act, 1977 PA 72, MCL 400.604, 400.605, and 400.607,  
17 concerning Medicaid fraud.

18           **(h) ~~(g)~~**A felony violation of section 18 of the Michigan  
19 gaming control and revenue act, 1996 IL 1, MCL 432.218, concerning  
20 the business of gaming.

21           **(i) ~~(h)~~**A felony violation of section 909(4) of the Michigan  
22 liquor control code of 1998, 1998 PA 58, MCL 436.1909, concerning  
23 the illegal sale, delivery, or importation of spirits.

24           **(j) ~~(i)~~**A violation of section 508 of the uniform securities  
25 act (2002), 2008 PA 551, MCL 451.2508, concerning fraud.

26           **(k) ~~(j)~~**A violation of section 5 or 7 of 1978 PA 33, MCL  
27 722.675 and 722.677, concerning the display or dissemination of  
28 obscene matter to minors.

29           **(l) ~~(k)~~**A violation of section 49, concerning animal fighting.



1           **(m)** ~~(l)~~—A felony violation of section 72, 73, 74, **or** 75, ~~or 77,~~  
2 concerning arson.

3           **(n)** ~~(m)~~—A violation of section 93, 94, 95, or 96, concerning  
4 bank bonds, bills, notes, and property.

5           **(o)** ~~(n)~~—A violation of section 110 or 110a, concerning  
6 breaking and entering or home invasion.

7           **(p)** ~~(o)~~—A violation of section 117, 118, 119, 120, 121, or  
8 124, concerning bribery.

9           **(q)** ~~(p)~~—A violation of section 120a, concerning jury  
10 tampering.

11           **(r)** ~~(q)~~—A violation of section 145c, concerning child sexually  
12 abusive activity or material.

13           **(s)** ~~(r)~~—A violation of section 145d, concerning internet or  
14 computer crimes.

15           **(t)** ~~(s)~~—A felony violation of section 157n, 157p, 157q, 157r,  
16 157s, 157t, or 157u, concerning credit cards or financial  
17 transaction devices.

18           **(u)** ~~(t)~~—A felony violation of section 174, 175, 176, 180, 181,  
19 or 182, concerning embezzlement.

20           **(v)** ~~(u)~~—A felony violation of chapter XXXIII, concerning  
21 explosives and bombs.

22           **(w)** ~~(v)~~—A violation of section 213, concerning extortion.

23           **(x)** ~~(w)~~—A felony violation of section 218, concerning false  
24 pretenses.

25           **(y)** ~~(x)~~—A felony violation of section 223(2), 224(1)(a), (b),  
26 or (c), 224b, 224c, 224e(1), 226, 227, 234a, 234b, or 237a,  
27 concerning firearms or dangerous weapons.

28           **(z)** ~~(y)~~—A felony violation of chapter XLI, concerning forgery  
29 and counterfeiting.



1           **(aa)** ~~(z)~~—A violation of section 271, 272, 273, or 274,  
2 concerning securities fraud.

3           **(bb)** ~~(aa)~~—A violation of section 300a, concerning food stamps  
4 or coupons or access devices.

5           **(cc)** ~~(bb)~~—A violation of section 301, 302, 303, 304, 305,  
6 305a, or 313, concerning gambling.

7           **(dd)** ~~(ee)~~—A violation of section 316 or 317, concerning  
8 murder.

9           **(ee)** ~~(dd)~~—A violation of section 330, 331, or 332, concerning  
10 horse racing.

11           **(ff)** ~~(ee)~~—A violation of section 349, 349a, or 350, concerning  
12 kidnapping.

13           **(gg)** ~~(ff)~~—A felony violation of chapter LII, concerning  
14 larceny.

15           **(hh)** ~~(gg)~~—A violation of section 411k, concerning money  
16 laundering.

17           **(ii)** ~~(hh)~~—A violation of section 422, 423, 424, or 425,  
18 concerning perjury or subornation of perjury.

19           **(jj)** ~~(ii)~~—A violation of section 452, 455, 457, 458, or 459,  
20 concerning prostitution.

21           **(kk)** ~~(jj)~~—A violation of chapter LXVIIA, concerning human  
22 trafficking.

23           **(ll)** ~~(kk)~~—A violation of section 529, 529a, 530, or 531,  
24 concerning robbery.

25           **(mm)** ~~(ll)~~—A felony violation of section 535 or 535a, concerning  
26 stolen, embezzled, or converted property.

27           **(nn)** ~~(mm)~~—A violation of chapter LXXXIII-A, concerning  
28 terrorism.

29           **(oo)** ~~(nn)~~—A violation of section 5 of 1984 PA 343, MCL



1 752.365, concerning obscenity.

2 **(pp)** ~~(ee)~~—A felony violation of the identity theft protection  
3 act, 2004 PA 452, MCL 445.61 to 445.79d.

4 **(qq)** ~~(pp)~~—A violation of section 4 of the organized retail  
5 crime act, 2012 PA 455, MCL 752.1084.

6 **(rr)** **A fraudulent insurance act described under section 4503**  
7 **of the insurance code of 1956, 1956 PA 218, MCL 500.4503.**

8 **(ss)** ~~(qq)~~—An offense committed within this state or another  
9 state that constitutes racketeering activity as defined in 18 USC  
10 1961(1).

11 **(tt)** ~~(rr)~~—An offense committed within this state or another  
12 state in violation of a law of the United States that is  
13 substantially similar to a violation listed in subdivisions (a)  
14 through ~~(qq)~~ **to (ss)**.

15 **(uu)** ~~(ss)~~—An offense committed in another state in violation  
16 of a statute of that state that is substantially similar to a  
17 violation listed in subdivisions (a) through ~~(qq)~~ **to (ss)**.

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

