

Act No. 22
Public Acts of 2023
Approved by the Governor
April 26, 2023
Filed with the Secretary of State
April 26, 2023
EFFECTIVE DATE: Sine Die
(91st day after final adjournment of the 2023 Regular Session)

**STATE OF MICHIGAN
102ND LEGISLATURE
REGULAR SESSION OF 2023**

Introduced by Reps. Grant, Breen, Morse, Skaggs, Rogers, Brixie, Rheingans, Glanville, Arbit, Hood, Martus, Wegela, Price, Pohutsky, Byrnes, Brabec, Young, Hope, Morgan, MacDonell, McKinney, Puri, Weiss, Stone, Mentzer, Liberati, Scott, Koleszar, Hoskins, O’Neal, Brenda Carter, Tyrone Carter, Dievendorf, Neeley, Tsernoglou, Snyder, Steckloff, Coffia, Wilson, Conlin, Fitzgerald, Paiz, McFall, Whitsett and Aiyash

ENROLLED HOUSE BILL No. 4143

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 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:

CHAPTER XVII

Sec. 11b. This chapter applies to the following felonies enumerated in chapter 28 of the Michigan Compiled Laws:

M.C.L.	Category	Class	Description	Stat Max
28.214(6)(b)	Pub trst	F	Unauthorized disclosure of information from LEIN — subsequent offense	4
28.293(1)	Pub ord	E	False information when applying for state ID	5
28.293(2)	Pub ord	D	False information when applying for state ID — second offense	7
28.293(3)	Pub ord	C	False information when applying for state ID — third or subsequent offense	15
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
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
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
28.295(5)	Property	H	Using stolen state ID card to commit felony	Variable
28.295a(1)	Pub ord	H	False representation to obtain or misuse personal information	4
28.295a(2)	Pub ord	G	False representation to obtain or misuse personal information — second offense	7
28.295a(3)	Pub ord	C	False representation to obtain or misuse personal information — third or subsequent offense	15
28.308	Pub saf	E	False certification or statement in application for enhanced driver license or enhanced official state personal identification card	5
28.422(14)	Pub saf	F	Forgery on firearm license application	4

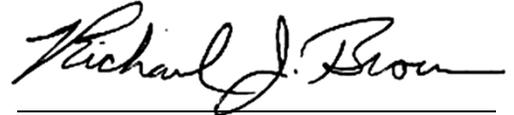
28.422a(5)	Pub saf	F	False statement on firearm sales record	4
28.425b(3)	Pub saf	F	False statement on concealed pistol permit application	4
28.425j(3)	Pub saf	F	Unlawful granting or presenting of pistol training certificate	4
28.425o(6)(c)	Pub saf	F	Carrying concealed pistol or electro-muscular disruption device in prohibited place — third or subsequent offense	4
28.429(4)	Pub saf	E	Failure to store a firearm resulting in injury	5
28.429(5)	Pub saf	D	Failure to store a firearm resulting in serious impairment of body function	10
28.429(6)	Pub saf	C	Failure to store a firearm resulting in death	15
28.435(14)(c)	Pub saf	G	Firearm sale without trigger lock, gun case, or storage container — third or subsequent offense	2
28.468(1)(c)	Pub saf	E	Michigan fireworks safety act violation causing serious impairment	5
28.468(1)(d)	Pub saf	C	Michigan fireworks safety act violation causing death	15
28.516(2)	Pub saf	F	False statement on concealed firearm certificate application	4
28.674	Pub saf	F	False report of a public threat	4
28.729(1)(a)	Pub ord	F	Failure to register as a sex offender, first offense	4
28.729(1)(b)	Pub ord	D	Failure to register as a sex offender, second offense	7
28.729(1)(c)	Pub ord	D	Failure to register as a sex offender, third or subsequent offense	10
28.729(2)	Pub ord	F	Failure to update sex offender registration information	2
28.754(1)	Pub ord	F	False report of a child abduction	4

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

M.C.L.	Category	Class	Description	Stat Max
750.223(2)	Pub saf	F	Sale of firearm to minor — subsequent offense	4
750.223(3)	Pub ord	D	Sale of firearm to person prohibited from possessing	10
750.224	Pub saf	E	Manufacture or sale of silencer, bomb, blackjack, automatic weapon, gas spray, etc.	5
750.224a(4)	Pub saf	F	Possession or sale of electrical current weapons	4
750.224a(6)	Pub saf	G	Improper use of electro-muscular disruption device	2
750.224b	Pub saf	E	Possession of short barreled shotgun or rifle	5
750.224c	Pub saf	F	Armor piercing ammunition	4

750.224d(2)	Person	G	Using self-defense spray device	2
750.224e	Pub saf	F	Manufacture/sale/possession of devices to convert semiautomatic weapons	4
750.224f(5)	Pub saf	E	Possession or sale of firearm by felon	5
750.224f(6)	Pub saf	E	Possession or sale of ammunition by felon	5
750.226	Pub saf	E	Carrying firearm or dangerous weapon with unlawful intent	5
750.227	Pub saf	E	Carrying a concealed weapon	5
750.227a	Pub saf	F	Unlawful possession of pistol	4
750.227c	Pub saf	G	Possessing a loaded firearm in or upon a vehicle	2
750.227f	Pub saf	F	Wearing body armor during commission of certain crimes	4
750.227g(1)	Pub saf	F	Felon purchasing, owning, possessing, or using body armor	4
750.230	Pub saf	G	Altering ID mark on firearm	2
750.232a(3)	Pub saf	G	False statement in a firearm application	4
750.234a(1)(a)	Pub saf	D	Discharging firearm from vehicle	10
750.234a(1)(b)	Person	C	Discharging firearm from vehicle causing physical injury	15
750.234a(1)(c)	Person	B	Discharging firearm from vehicle causing serious impairment	20
750.234a(1)(d)	Person	A	Discharging firearm from vehicle causing death	Life
750.234b(1)	Pub saf	D	Discharging firearm at a dwelling or potentially occupied structure	10
750.234b(2)	Pub saf	D	Discharging firearm in a dwelling or potentially occupied structure	10
750.234b(3)	Pub saf	C	Discharging firearm in or at a dwelling or potentially occupied structure causing physical injury	15
750.234b(4)	Person	B	Discharging firearm in or at a dwelling or potentially occupied structure causing serious impairment	20
750.234b(5)	Person	A	Discharging firearm in or at a dwelling or potentially occupied structure causing death	Life
750.234c	Pub saf	F	Discharging firearm at emergency/police vehicle	4
750.235b(2)	Pub saf	D	Threatening to commit violent act against school students or employees on school property with an overt act toward completion or with specific intent	10
750.236	Person	C	Setting spring gun — death resulting	15
750.237(3)	Person	E	Using firearm while under the influence or impaired causing serious impairment	5
750.237(4)	Person	C	Using firearm while under the influence or impaired causing death	15

Enacting section 1. This amendatory act does not take effect unless House Bill No. 4138 of the 102nd Legislature is enacted into law.


Clerk of the House of Representatives


Secretary of the Senate

Approved _____

Governor