

Act No. 12  
Public Acts of 2025  
Approved by the Governor  
August 26, 2025  
Filed with the Secretary of State  
August 26, 2025  
EFFECTIVE DATE: August 26, 2025

**STATE OF MICHIGAN  
103RD LEGISLATURE  
REGULAR SESSION OF 2025**

Introduced by Reps. Tsernoglou, Bierlein, Neyer, Alexander, Tisdell, Rigas, Cavitt, Beson, Pavlov, Kelly, Rheingans, Rogers, Breen, McFall, MacDonell, Outman, Martus, Mentzer, Myers-Phillips, Koleszar, Longjohn, Wooden, Foreman, Skaggs, Price, Herzberg, Byrnes, Miller, Paiz, Andrews, Morgan, Wilson, McKinney, Hoskins, O'Neal, Hope, Conlin, Young, Scott, Xiong, Pohutsky, Dievendorf, B. Carter and Grant

## ENROLLED HOUSE BILL No. 4048

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 17b of chapter XVII (MCL 777.17b), as added by 2002 PA 28.

*The People of the State of Michigan enact:*

### CHAPTER XVII

Sec. 17b. This chapter applies to the following felonies enumerated in chapter 752 of the Michigan Compiled Laws:

| M.C.L.         | Category | Class | Description                                                                | Stat Max |
|----------------|----------|-------|----------------------------------------------------------------------------|----------|
| 752.272a(4)(c) | Pub saf  | F     | Sale or distribution of nitrous oxide device — 2 or more prior convictions | 4        |
| 752.365(3)     | Pub ord  | G     | Obscenity — subsequent offense                                             | 2        |

|            |         |   |                                                                 |    |
|------------|---------|---|-----------------------------------------------------------------|----|
| 752.388(3) | Person  | F | Dissemination of intimate deep fake<br>with aggravating factors | 3  |
| 752.541    | Pub saf | D | Riot                                                            | 10 |
| 752.542    | Pub saf | D | Incitement to riot                                              | 10 |
| 752.542a   | Pub saf | D | Riot in state correctional facilities                           | 10 |
| 752.543    | Pub saf | G | Unlawful assembly                                               | 5  |

Enacting section 1. This amendatory act does not take effect unless House Bill No. 4047 of the 103rd Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved \_\_\_\_\_

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Governor