

HOUSE BILL No. 5724

March 31, 1992, Introduced by Reps. Byrum, Bartnik, Hoffman, Joe Young, Jr., Profit, Harrison, Nye, Gire, Martin, Allen, McNutt, Baade, Horton, Olshove, Middleton, Yokich, Dobronski, Shugars, Weeks and DeMars and referred to the Committee on Judiciary.

A bill to amend Act No. 328 of the Public Acts of 1931, entitled as amended "The Michigan penal code," as amended, being sections 750.1 to 750.568 of the Michigan Compiled Laws, by adding section 479b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 328 of the Public Acts of 1931, as
2 amended, being sections 750.1 to 750.568 of the Michigan Compiled
3 Laws, is amended by adding section 479b to read as follows:

4 SEC. 479B. (1) AN INDIVIDUAL WHO, BY UNLAWFUL MEANS,
5 ATTEMPTS TO TAKE A WEAPON OTHER THAN A FIREARM FROM THE POSSES-
6 SION OF A PEACE OFFICER LAWFULLY PERFORMING HIS OR HER DUTIES AS
7 A PEACE OFFICER IS GUILTY OF A FELONY, PUNISHABLE BY IMPRISONMENT
8 FOR NOT MORE THAN 2 YEARS, OR A FINE OF NOT MORE THAN \$1,000.00,
9 OR BOTH.

1 (2) AN INDIVIDUAL WHO, BY UNLAWFUL MEANS, TAKES A WEAPON
2 OTHER THAN A FIREARM FROM THE POSSESSION OF A PEACE OFFICER LAW-
3 FULLY PERFORMING HIS OR HER DUTIES AS A PEACE OFFICER IS GUILTY
4 OF A FELONY, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4
5 YEARS, OR A FINE OF NOT MORE THAN \$2,000.00, OR BOTH.

6 (3) AN INDIVIDUAL WHO, BY UNLAWFUL MEANS, ATTEMPTS TO TAKE A
7 FIREARM FROM THE POSSESSION OF A PEACE OFFICER LAWFULLY PERFORM-
8 ING HIS OR HER DUTIES AS A PEACE OFFICER IS GUILTY OF A FELONY,
9 PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 7 YEARS, OR A FINE
10 OF NOT MORE THAN \$4,000.00, OR BOTH.

11 (4) AN INDIVIDUAL WHO, BY UNLAWFUL MEANS, TAKES A FIREARM
12 FROM THE POSSESSION OF A PEACE OFFICER LAWFULLY PERFORMING HIS OR
13 HER DUTIES AS A PEACE OFFICER IS GUILTY OF A FELONY, PUNISHABLE
14 BY IMPRISONMENT FOR NOT MORE THAN 10 YEARS, OR A FINE OF NOT MORE
15 THAN \$5,000.00, OR BOTH.

16 (5) THIS SECTION DOES NOT PROHIBIT AN INDIVIDUAL FROM BEING
17 CHARGED WITH, CONVICTED OF, OR PUNISHED FOR ANY OTHER VIOLATION
18 OF LAW THAT IS COMMITTED BY THAT INDIVIDUAL WHILE VIOLATING THIS
19 SECTION.