

SENATE BILL No. 823

March 25, 1992, Introduced by Senator BOUCHARD and referred to the Committee on Family Law, Criminal Law, and Corrections.

A bill to amend sections 227f and 234a of Act No. 328 of the Public Acts of 1931, entitled as amended

"The Michigan penal code,"

as added by Act No. 321 of the Public Acts of 1990, being sections 750.227f and 750.234a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 227f and 234a of Act No. 328 of the
2 Public Acts of 1931, as added by Act No. 321 of the Public Acts
3 of 1990, being sections 750.227f and 750.234a of the Michigan
4 Compiled Laws, are amended to read as follows:

5 Sec. 227f. (1) A person who commits or attempts to commit a
6 crime that involves a violent act or a threat of a violent act
7 against another person while wearing body armor is guilty of a
8 felony.

1 (2) SUBSECTION (1) DOES NOT APPLY TO A LAW ENFORCEMENT
2 OFFICER WHO IS PERFORMING HIS OR HER DUTIES AS A LAW ENFORCEMENT
3 OFFICER WHILE ON DUTY OR OFF DUTY.

4 (3) ~~-(2)-~~ As used in this section: ~~-, "body-~~

5 (A) "BODY armor" means clothing or a device designed or
6 intended to protect the person or a portion of the person's body
7 from injury caused by a firearm.

8 (B) "LAW ENFORCEMENT OFFICER" MEANS A PERSON WHO IS REGU-
9 LARLY EMPLOYED AS A MEMBER OF A DULY AUTHORIZED POLICE AGENCY OR
10 OTHER LAW ENFORCEMENT ORGANIZATION OF THE UNITED STATES, OF THIS
11 STATE, OR OF A PUBLIC 4-YEAR INSTITUTION OF HIGHER EDUCATION,
12 CITY, COUNTY, TOWNSHIP, OR VILLAGE OF THIS STATE.

13 Sec. 234a. (1) ~~An~~ EXCEPT AS PROVIDED IN SUBSECTION (2),
14 AN individual who intentionally discharges a firearm from a motor
15 vehicle, a snowmobile, or an off-road vehicle in such a manner as
16 to endanger the safety of another individual is guilty of a
17 felony, punishable by imprisonment for not more than 4 years, or
18 a fine of not more than \$2,000.00, or both.

19 (2) SUBSECTION (1) DOES NOT APPLY TO A LAW ENFORCEMENT OFFI-
20 CER WHO IS PERFORMING HIS OR HER DUTIES AS A LAW ENFORCEMENT
21 OFFICER WHILE ON DUTY OR OFF DUTY.

22 (3) AS USED IN THIS SECTION, "LAW ENFORCEMENT OFFICER" MEANS
23 A PERSON WHO IS REGULARLY EMPLOYED AS A MEMBER OF A DULY AUTHO-
24 RIZED POLICE AGENCY OR OTHER LAW ENFORCEMENT ORGANIZATION OF THE
25 UNITED STATES, OF THIS STATE, OR OF A PUBLIC 4-YEAR INSTITUTION
26 OF HIGHER EDUCATION, CITY, COUNTY, TOWNSHIP, OR VILLAGE OF THIS
27 STATE.