



SENATE BILL No. 294

January 28, 1993, 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 amended by Act No. 218 of the Public Acts of 1992, 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 amended by Act No. 218 of the Public Acts
3 of 1992, being sections 750.227f and 750.234a of the Michigan
4 Compiled Laws, are amended to read as follows:

5 Sec. 227f. (1) Except as provided in subsection (2), an
6 individual who commits or attempts to commit a crime that
7 involves a violent act or a threat of a violent act against
8 another person while wearing body armor is guilty of a felony,

1 punishable by imprisonment for not more than 4 years, or a fine
2 of not more than \$2,000.00, or both.

3 (2) Subsection (1) does not apply to either of the
4 following:

5 (a) A peace officer of this state or another state, or of a
6 local unit of government of this state or another state, or of
7 the United States, performing his or her duties as a peace offi-
8 cer WHILE ON OR OFF A SCHEDULED WORK SHIFT AS A PEACE OFFICER.

9 (b) A security officer performing his or her duties as a
10 security officer while on a scheduled work shift as a security
11 officer.

12 (3) As used in this section:

13 (a) "Body armor" means clothing or a device designed or
14 intended to protect an individual's body or a portion of an
15 individual's body from injury caused by a firearm.

16 (b) "Security officer" means an individual lawfully employed
17 to physically protect another individual or to physically protect
18 the property of another person.

19 Sec. 234a. (1) Except as provided in subsection (2) or (3),
20 an individual who intentionally discharges a firearm from a motor
21 vehicle, a snowmobile, or an off-road vehicle in such a manner as
22 to endanger the safety of another individual is guilty of a
23 felony, punishable by imprisonment for not more than 4 years, or
24 a fine of not more than \$2,000.00, or both.

25 (2) Subsection (1) does not apply to a peace officer of this
26 state or another state, or of a local unit of government of this
27 state or another state, or of the United States, performing his

1 or her duties as a peace officer WHETHER ON OR OFF A SCHEDULED
2 WORK SHIFT.

3 (3) Subsection (1) does not apply to an individual who dis-
4 charges a firearm in self-defense or the defense of another
5 individual.