



HOUSE BILL No. 4429

February 16, 1995, Introduced by Reps. Olshove, Goschka, Leland, DeHart, Baade, Pitoniak, DeMars, Stallworth, Brater and Brewer and referred to the Committee on Judiciary and Civil Rights.

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 216b.

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 216b to read as follows:

4 SEC. 216B. (1) AN INDIVIDUAL WHO IS NOT A PEACE OFFICER
5 SHALL NOT DO EITHER OF THE FOLLOWING:

6 (A) INFORM ANOTHER INDIVIDUAL THAT HE OR SHE IS A PEACE
7 OFFICER IN ORDER TO COMMIT OR ATTEMPT TO COMMIT A CRIME.

1 (B) REPRESENT TO ANOTHER INDIVIDUAL BY UNIFORM, BADGE,
2 IDENTIFICATION CARD, OR ANY OTHER MEANS THAT HE OR SHE IS A PEACE
3 OFFICER IN ORDER TO COMMIT OR ATTEMPT TO COMMIT A CRIME.

4 (2) AN INDIVIDUAL WHO VIOLATES THIS SECTION IN ORDER TO
5 COMMIT OR ATTEMPT TO COMMIT A CRIME IS GUILTY OF A FELONY AND
6 SHALL BE PUNISHED BY IMPRISONMENT FOR 2 YEARS.

7 (3) A TERM OF IMPRISONMENT PRESCRIBED UNDER THIS SECTION IS
8 IN ADDITION TO THE SENTENCE IMPOSED FOR THE CONVICTION OF THE
9 CRIME OR THE ATTEMPT TO COMMIT THE CRIME AND SHALL BE SERVED CON-
10 SECUTIVELY TO ANY TERM OF IMPRISONMENT IMPOSED FOR THE CONVICTION
11 OF THE CRIME OR ATTEMPT TO COMMIT THE CRIME.

12 (4) A TERM OF IMPRISONMENT IMPOSED UNDER THIS SECTION SHALL
13 NOT BE SUSPENDED. THE INDIVIDUAL SUBJECT TO THE SENTENCE MAN-
14 DATED UNDER THIS SECTION IS NOT ELIGIBLE FOR PAROLE OR PROBATION
15 DURING THE MANDATORY TERM.

16 (5) AS USED IN THIS SECTION, "PEACE OFFICER" MEANS 1 OR MORE
17 OF THE FOLLOWING:

18 (A) A POLICE OR CONSERVATION OFFICER OF THIS STATE OR OF A
19 POLITICAL SUBDIVISION OF THIS STATE.

20 (B) A POLICE OR CONSERVATION OFFICER OF THE UNITED STATES.

21 (C) A POLICE OR CONSERVATION OFFICER OF ANOTHER STATE OR OF
22 A POLITICAL SUBDIVISION OF ANOTHER STATE.