



HOUSE BILL No. 6010

September 10, 1996, Introduced by Rep. Fitzgerald 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 479c.

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 479c to read as follows:

4 SEC. 479C. (1) A PERSON SHALL NOT DO EITHER OF THE
5 FOLLOWING:

6 (A) ASSAULT OR BATTER A CORRECTIONS OFFICER WHILE KNOWING OR
7 HAVING REASON TO KNOW THE CORRECTIONS OFFICER IS LAWFULLY
8 PERFORMING HIS OR HER DUTIES AS A CORRECTIONS OFFICER.

1 (B) OBSTRUCT, RESIST, OR OPPOSE A CORRECTIONS OFFICER WHILE
2 KNOWING OR HAVING REASON TO KNOW THE CORRECTIONS OFFICER IS
3 LAWFULLY PERFORMING HIS OR HER DUTIES AS A CORRECTIONS OFFICER.

4 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDE-
5 MEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR A
6 FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

7 (3) THIS SECTION DOES NOT PROHIBIT AN INDIVIDUAL FROM BEING
8 CHARGED WITH, CONVICTED OF, OR PUNISHED FOR ANY OTHER VIOLATION
9 OF LAW THAT IS COMMITTED BY THAT INDIVIDUAL WHILE VIOLATING THIS
10 SECTION.

11 (4) IF A PERSON IS IMPRISONED AT THE TIME HE OR SHE COMMITS
12 OR ATTEMPTS TO COMMIT A VIOLATION OF THIS SECTION, ANY TERM OF
13 IMPRISONMENT IMPOSED FOR THE VIOLATION OF THIS SECTION SHALL RUN
14 CONSECUTIVELY TO THAT TERM OF IMPRISONMENT.

15 (5) AS USED IN THIS SECTION, "CORRECTIONS OFFICER" MEANS A
16 PRISON OR JAIL SECURITY OFFICER OR OTHER EMPLOYEE OF A JAIL OR A
17 STATE OR FEDERAL CORRECTIONAL FACILITY, WHO PERFORMS DUTIES
18 INVOLVING THE TRANSPORTATION, CARE, CUSTODY, OR SUPERVISION OF
19 PRISONERS.