



SENATE BILL No. 71

January 17, 1995, Introduced by Senator BERRYMAN 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 81c.

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 81c to read as follows:

4 SEC. 81C. (1) A PERSON WHO ASSAULTS OR BATTERS A STATE OR
5 LOCAL CORRECTIONAL OFFICER PERFORMING HIS OR HER DUTIES AS A
6 STATE OR LOCAL CORRECTIONAL OFFICER OR BECAUSE OF HIS OR HER
7 EMPLOYMENT AS A STATE OR LOCAL CORRECTIONAL OFFICER IS GUILTY OF
8 A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR
9 A FINE OF NOT MORE THAN \$2,500.00, OR BOTH.

1 (2) A TERM OF IMPRISONMENT IMPOSED FOR A VIOLATION OF THIS
2 SECTION SHALL BE SERVED CONSECUTIVELY TO ANY OTHER TERM OF
3 IMPRISONMENT TO WHICH THE PERSON IS SENTENCED.

4 (3) AS USED IN THIS SECTION:

5 (A) "CORRECTIONAL FACILITY" MEANS EITHER OF THE FOLLOWING:

6 (i) A FACILITY OR INSTITUTION THAT HOUSES AN INMATE POPULA-
7 TION UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS.

8 (ii) A MUNICIPAL OR COUNTY JAIL, WORK CAMP, LOCKUP, HOLDING
9 CENTER, HALFWAY HOUSE, COMMUNITY CORRECTIONS CENTER, OR ANY OTHER
10 FACILITY MAINTAINED BY A MUNICIPALITY OR COUNTY THAT HOUSES ADULT
11 PRISONERS.

12 (B) "LOCAL CORRECTIONAL OFFICER" MEANS A PERSON EMPLOYED BY
13 A UNIT OF LOCAL GOVERNMENT IN A CORRECTIONAL FACILITY AS A COR-
14 RECTIONAL OFFICER.

15 (C) "STATE CORRECTIONAL OFFICER" MEANS A PERSON EMPLOYED BY
16 THE DEPARTMENT OF CORRECTIONS IN A CORRECTIONAL FACILITY AS A
17 CORRECTIONAL OFFICER OR A CORRECTIONS MEDICAL AIDE.