



# SENATE BILL No. 954

March 28, 1996, Introduced by Senator VAN REGENMORTER and referred to the Committee on Local, Urban and State Affairs.

A bill to amend section 5 of Act No. 222 of the Public Acts of 1972, entitled as amended

"An act to provide for an official personal identification card; to provide for its form, issuance and use; to provide for certain duties of the secretary of state; and to prescribe certain penalties for violations,"

as amended by Act No. 335 of the Public Acts of 1984, being section 28.295 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 5 of Act No. 222 of the Public Acts of  
2 1972, as amended by Act No. 335 of the Public Acts of 1984, being  
3 section 28.295 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 5. (1) A person who intentionally reproduces, alters,  
6 counterfeits, forges, or duplicates an identification card or who

1 uses a reproduced, altered, counterfeited, forged, or duplicated  
2 identification card shall be punished as follows:

3 (a) If the intent of reproduction, alteration, counterfeit-  
4 ing, forging, duplication, or use was to commit or aid in the  
5 commission of an offense punishable by imprisonment for 1 or more  
6 years, the person committing the reproduction, alteration, coun-  
7 terfeiting, forging, duplication, or use is guilty of a felony.

8 (b) If the intent of the reproduction, alteration, counter-  
9 feiting, forging, duplication, or use was to commit or aid in the  
10 commission of an offense punishable by imprisonment for not more  
11 than 1 year, the person committing the reproduction, alteration,  
12 counterfeiting, forging, duplication, or use is guilty of a mis-  
13 demeanor punishable by imprisonment for not more than 1 year, or  
14 a fine of not more than \$1,000.00, or both.

15 (2) A person shall not steal or, without the cardholder's  
16 permission, knowingly take or knowingly remove an official state  
17 personal identification card from the person or possession of  
18 another. EXCEPT FOR A LAW ENFORCEMENT OFFICER IN THE PERFORMANCE  
19 OF HIS OR HER DUTIES, A PERSON SHALL NOT POSSESS AN OFFICIAL  
20 STATE PERSONAL IDENTIFICATION CARD THAT HAS BEEN REPRODUCED,  
21 ALTERED, COUNTERFEITED, FORGED, OR DUPLICATED. A person shall not  
22 use an official state personal identification card that is stolen  
23 or knowingly taken or knowingly removed from the person or pos-  
24 session of another. Except as provided in subsection (3), a  
25 person who violates this subsection is guilty of a misdemeanor,  
26 punishable by imprisonment for not more than 1 year.

1           (3) A person shall not use an official state personal  
2 identification card in the commission of a felony if the card is  
3 stolen or knowingly taken or knowingly removed from the person or  
4 possession of another. A person who violates this subsection is  
5 guilty of the penalties provided for the felony committed with  
6 the use of the card.