



SENATE BILL No. 1203

November 7, 1996, Introduced by Senator BULLARD and referred to the Committee on Judiciary.

A bill to amend section 316 of Act No. 328 of the Public Acts of 1931, entitled as amended

"The Michigan penal code,"

as amended by Act No. 21 of the Public Acts of 1996, being section 750.316 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 316 of Act No. 328 of the Public Acts of
2 1931, as amended by Act No. 21 of the Public Acts of 1996, being
3 section 750.316 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 316. (1) A person who commits any of the following is
6 guilty of first degree murder and shall be punished by imprison-
7 ment for life:

8 (a) Murder perpetrated by means of poison, lying in wait, or
9 any other willful, deliberate, and premeditated killing.

1 (b) Murder committed in the perpetration of, or attempt to
2 perpetrate, arson, criminal sexual conduct in the first, second,
3 or third degree, child abuse in the first degree, a major con-
4 trolled substance offense, robbery, CARJACKING, breaking and
5 entering of a dwelling, home invasion in the first or second
6 degree, larceny of any kind, extortion, or kidnapping.

7 (c) A murder of a peace officer or a corrections officer
8 committed while the peace officer or corrections officer is law-
9 fully engaged in the performance of any of his or her duties as a
10 peace officer or corrections officer, with knowledge that the
11 peace officer or corrections officer is a peace officer or cor-
12 rections officer engaged in the performance of his or her duty as
13 a peace officer or corrections officer.

14 (2) As used in this section:

15 (a) "Arson" means a felony violation of chapter X.

16 (b) "Corrections officer" means any of the following:

17 (i) A prison or jail guard or other prison or jail
18 personnel.

19 (ii) ~~ANY~~ ANY OF THE personnel of a boot camp, SPECIAL ALTER-
20 NATIVE INCARCERATION UNIT, or other minimum security correctional
21 facility.

22 (iii) A parole or probation officer.

23 (c) "Major controlled substance offense" means any of the
24 following:

25 (i) A violation of section 7401(2)(a)(i) to (iii) of the
26 public health code, Act No. 368 of the Public Acts of 1978, being
27 section 333.7401 of the Michigan Compiled Laws.

1 (ii) A violation of section 7403(2)(a)(i) to (iii) of the
2 public health code, Act No. 368 of the Public Acts of 1978, being
3 section 333.7403 of the Michigan Compiled Laws.

4 (iii) A conspiracy to commit an offense listed in subpara-
5 graph (i) or (ii).

6 (d) "Peace officer" means any of the following:

7 (i) A police or conservation officer of this state ~~—~~ or
8 ~~of~~ a political subdivision of this state.

9 (ii) A police or conservation officer of the United States.

10 (iii) A police or conservation officer of another state ~~—~~
11 or ~~of~~ a political subdivision of another state.