

H.B. 4736

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 1608 (MCL 324.1608), as added by 1995 PA 60.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 1608. (1) A person who knowingly or willfully  
2 obstructs, resists, or opposes the department, an officer  
3 appointed by the department, or any other peace officer in ~~the~~  
4 ~~performance of~~ PERFORMING the duties and execution of the powers  
5 prescribed in this part or in any ~~statute or~~ OTHER law, in  
6 making an arrest or search as provided in this part, or in serv-  
7 ing or attempting to serve or execute any process or warrant  
8 issued by lawful authority ~~,~~ or who obstructs, resists,  
9 opposes, assaults, beats, or wounds the department, any officer  
10 appointed by the department, or any other peace officer while the  
11 department or officer is lawfully making an arrest or search,

**HB4736, As Passed House, November 5, 1997**

H.B. 4736 as amended November 4, 1997

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1 lawfully serving or attempting to serve or execute any such  
2 process or warrant, or lawfully executing or attempting to exe-  
3 cute or lawfully performing or attempting to perform any of the  
4 powers and duties provided for in the statutes or laws described  
5 in section 1601 ~~—~~ is guilty of a ~~misdemeanor,~~ CRIME punish-  
6 able as provided in section 81C OR 479 of the Michigan penal  
7 code, ~~Act No. 328 of the Public Acts of 1931, being section~~  
8 ~~750.479 of the Michigan Compiled Laws—~~ 1931 PA 328, MCL 750.81C  
9 AND 750.479.

10 (2) In making an arrest or search as provided in this part  
11 ~~—~~ or in serving or attempting to serve or execute any process  
12 or warrant, the department, any officer appointed by the depart-  
13 ment, or any other peace officer shall identify himself or her-  
14 self by uniform, badge, insignia, or official credentials.

[(3) AS USED IN THIS SECTION, "PEACE OFFICER" MEANS THAT TERM  
AS DEFINED IN SECTION 81C OF THE MICHIGAN PENAL CODE, 1931 PA 328,  
MCL 750.81C.]

15 Enacting section 1. This amendatory act does not take  
16 effect unless

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17 of the 89th Legislature is enacted into  
18 law.