

SUBSTITUTE FOR
SENATE BILL NO. 456

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 216b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 216B. (1) AN INDIVIDUAL WHO IS NOT A PEACE OFFICER
2 SHALL NOT DO EITHER OF THE FOLLOWING:

3 (A) INFORM ANOTHER INDIVIDUAL THAT HE OR SHE IS A PEACE
4 OFFICER TO COMMIT OR ATTEMPT TO COMMIT A CRIME.

5 (B) REPRESENT TO ANOTHER INDIVIDUAL BY UNIFORM, BADGE, IDEN-
6 TIFICATION CARD, OR ANY OTHER MEANS THAT HE OR SHE IS A PEACE
7 OFFICER TO COMMIT OR ATTEMPT TO COMMIT A CRIME.

8 (2) EXCEPT AS PROVIDED IN SUBSECTIONS (3) AND (4), AN INDI-
9 VIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND SHALL
10 BE PUNISHED BY IMPRISONMENT FOR 2 YEARS.

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1 (3) AN INDIVIDUAL WHO COMMITS A SECOND VIOLATION OF THIS
2 SECTION IS GUILTY OF A FELONY AND SHALL BE PUNISHED BY
3 IMPRISONMENT FOR 5 YEARS.

4 (4) AN INDIVIDUAL WHO COMMITS A THIRD OR SUBSEQUENT VIOLA-
5 TION OF THIS SECTION IS GUILTY OF A FELONY AND SHALL BE PUNISHED
6 BY IMPRISONMENT FOR 10 YEARS.

7 (5) A TERM OF IMPRISONMENT PRESCRIBED UNDER THIS SECTION IS
8 IN ADDITION TO THE SENTENCE IMPOSED FOR THE CONVICTION OF THE
9 CRIME OR THE ATTEMPT TO COMMIT THE CRIME AND SHALL BE SERVED CON-
10 SECUTIVELY WITH AND PRECEDING ANY TERM OF IMPRISONMENT IMPOSED
11 FOR THE CONVICTION OF THE CRIME OR ATTEMPT TO COMMIT THE CRIME.

12 (6) A TERM OF IMPRISONMENT IMPOSED UNDER THIS SECTION SHALL
13 NOT BE SUSPENDED. THE INDIVIDUAL SUBJECT TO THE SENTENCE MAN-
14 DATED UNDER THIS SECTION IS NOT ELIGIBLE FOR PAROLE OR PROBATION
15 DURING THE MANDATORY TERM.

16 (7) AS USED IN THIS SECTION, "PEACE OFFICER" MEANS 1 OR MORE
17 OF THE FOLLOWING:

18 (A) A POLICE OFFICER OF THIS STATE OR ANOTHER STATE OR A
19 POLITICAL SUBDIVISION OF THIS STATE OR ANOTHER STATE.

20 (B) A FEDERAL LAW ENFORCEMENT OFFICER.

21 (C) THE SHERIFF OF A COUNTY OF THIS STATE OR ANOTHER STATE
22 OR THE SHERIFF'S DEPUTY.

23 (D) A POLICE OR PUBLIC SAFETY OFFICER OF A COMMUNITY COL-
24 LEGE, COLLEGE, OR UNIVERSITY WHO IS AUTHORIZED BY THE GOVERNING
25 BOARD OF THAT COMMUNITY COLLEGE, COLLEGE, OR UNIVERSITY TO
26 ENFORCE STATE LAW AND THE RULES AND ORDINANCES OF THAT COMMUNITY
27 COLLEGE, COLLEGE, OR UNIVERSITY.

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1 (E) A CONSERVATION OFFICER OF THE DEPARTMENT OF NATURAL
2 RESOURCES OR DEPARTMENT OF ENVIRONMENTAL QUALITY.

3 (F) A CONSERVATION OFFICER OF THE UNITED STATES DEPARTMENT
4 OF INTERIOR.

5 (G) AN INVESTIGATOR OF THE DEPARTMENT OF ATTORNEY GENERAL.

6 Enacting section 1. This amendatory act takes effect
7 September 1, 1998.