

# HOUSE BILL No. 4013

January 8, 1997, Introduced by Rep. Fitzgerald and referred to the Committee on Corrections.

A bill to amend 1931 PA 328, entitled  
"The Michigan penal code,"  
(MCL 750.1 to 750.568) by adding section 479c.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 479C. (1) A PERSON SHALL NOT DO EITHER OF THE  
2 FOLLOWING:

3        (A) ASSAULT OR BATTER A CORRECTIONS OFFICER WHILE KNOWING OR  
4 HAVING REASON TO KNOW THE CORRECTIONS OFFICER IS LAWFULLY PER-  
5 FORMING HIS OR HER DUTIES AS A CORRECTIONS OFFICER.

6        (B) OBSTRUCT, RESIST, OR OPPOSE A CORRECTIONS OFFICER WHILE  
7 KNOWING OR HAVING REASON TO KNOW THE CORRECTIONS OFFICER IS LAW-  
8 FULLY PERFORMING HIS OR HER DUTIES AS A CORRECTIONS OFFICER.

9        (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
10 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS  
11 OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

1           (3) THIS SECTION DOES NOT PROHIBIT AN INDIVIDUAL FROM BEING  
2 CHARGED WITH, CONVICTED OF, OR PUNISHED FOR ANY OTHER VIOLATION  
3 OF LAW COMMITTED BY THAT INDIVIDUAL WHILE VIOLATING THIS  
4 SECTION.

5           (4) IF A PERSON IS IMPRISONED AT THE TIME HE OR SHE COMMITS  
6 OR ATTEMPTS TO COMMIT A VIOLATION OF THIS SECTION, ANY TERM OF  
7 IMPRISONMENT IMPOSED FOR THE VIOLATION OF THIS SECTION SHALL RUN  
8 CONSECUTIVELY TO THAT TERM OF IMPRISONMENT.

9           (5) AS USED IN THIS SECTION, "CORRECTIONS OFFICER" MEANS A  
10 PRISON OR JAIL SECURITY OFFICER OR OTHER EMPLOYEE OF A JAIL OR A  
11 STATE OR FEDERAL CORRECTIONAL FACILITY WHO PERFORMS DUTIES  
12 INVOLVING THE TRANSPORTATION, CARE, CUSTODY, OR SUPERVISION OF  
13 PRISONERS.