

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 118

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
by amending section 215 (MCL 750.215), as amended by 2002 PA
672.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 215. (1) ~~Any person who falsely assumes or pretends~~
2 ~~to be a sheriff, deputy sheriff, conservation officer, coroner,~~
3 ~~constable, police officer, or member of the Michigan state~~
4 ~~police, and shall take upon himself or herself to act as such, or~~
5 ~~to require any person to aid and assist him or her in any matter~~
6 ~~pertaining to the duty of a sheriff, deputy sheriff, conservation~~
7 ~~officer, coroner, constable, police officer, or member of the~~
8 ~~Michigan state police, or shall falsely take upon himself or~~
9 ~~herself to act or officiate in any office or place of authority,~~
10 **An individual who is not a peace officer or a medical examiner**

1 shall not do any of the following:

2 (a) Perform the duties of a peace officer or a medical
3 examiner.

4 (b) Represent to another person that he or she is a peace
5 officer or a medical examiner for any unlawful purpose.

6 (c) Represent to another person that he or she is a peace
7 officer or a medical examiner with the intent to compel the
8 person to do or refrain from doing any act against his or her
9 will.

10 (2) Except as provided in subsection (3), an individual who
11 violates subsection (1) is guilty of a misdemeanor punishable by
12 imprisonment for not more than 1 year or a fine of not more than
13 \$1,000.00, or both.

14 (3) An individual who, in violation of subsection (1),
15 performs the duties of a peace officer to commit or attempt to
16 commit a crime or represents to another person that he or she is
17 a peace officer to commit or attempt to commit a crime is guilty
18 of a felony punishable by imprisonment for not more than 4 years
19 or a fine of not more than \$5,000.00, or both.

20 (4) A sentence imposed under subsection (3) may be ordered to
21 be served consecutively to any term of imprisonment imposed for
22 another violation arising from the same transaction.

23 (5) As used in this section, "peace officer" means any of the
24 following:

25 (a) A sheriff or deputy sheriff of a county of this state or
26 another state.

27 (b) An officer of the police department of a city, village,

1 or township of this state or another state.

2 (c) A marshall of a city, village, or township.

3 (d) A constable.

4 (e) An officer of the Michigan state police.

5 (f) A conservation officer.

6 (g) A security employee employed by the state pursuant to
7 section 6c of 1935 PA 59, MCL 28.6c.

8 (h) A motor carrier officer appointed pursuant to section 6d
9 of 1935 PA 59, MCL 28.6d.

10 (i) A police officer or public safety officer of a community
11 college, college, or university who is authorized by the
12 governing board of that community college, college, or university
13 to enforce state law and the rules and ordinances of that
14 community college, college, or university.

15 (j) A park and recreation officer commissioned pursuant to
16 section 1606 of the natural resources and environmental
17 protection act, 1994 PA 451, MCL 324.1606.

18 (k) A state forest officer commissioned pursuant to section
19 83107 of the natural resources and environmental protection act,
20 1994 PA 451, MCL 324.83107.

21 (l) A federal law enforcement officer.

22 (m) An investigator of the state department of attorney
23 general.

24 Enacting section 1. This amendatory act takes effect
25 September 1, 2003.