

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 without authorization.

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 police officer of this state or a political subdivision  
26 of this state or another state.

27 (b) A sheriff or sheriff's deputy of a county of this state

1 or another state.

2 (c) A police officer or public safety officer of a community  
3 college, college, or university who is authorized by the  
4 governing board of that community college, college, or university  
5 to enforce state law and the rules and ordinances of that  
6 community college, college, or university.

7 (d) A conservation officer of the department of natural  
8 resources or the department of environmental quality.

9 (e) A conservation officer of the United States department of  
10 the interior.

11 (f) A federal law enforcement officer.

12 (g) An investigator of the state department of attorney  
13 general.