

SENATE BILL No. 118

January 30, 2003, Introduced by Senators SANBORN, JELINEK, ALLEN, GARCIA, TOY, BISHOP, CROPSEY, SCHAUER, BERNERO, BIRKHOLZ, JACOBS, PATTERSON and GOSCHKA and referred to the Committee on Judiciary.

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 perform the duties of a peace officer or a medical
2 examiner without authorization or represent to another person
3 that he or she is a peace officer or a medical examiner for any
4 unlawful purpose.

5 (2) Except as provided in subsection (3), an individual who
6 violates subsection (1) is guilty of a misdemeanor punishable by
7 imprisonment for not more than 1 year or a fine of not more than
8 \$1,000.00, or both.

9 (3) An individual who, in violation of subsection (1),
10 performs the duties of a peace officer to commit or attempt to
11 commit a felony or represents to another person that he or she is
12 a peace officer to commit or attempt to commit a felony is guilty
13 of a felony punishable by imprisonment for not more than 4 years
14 or a fine of not more than \$2,000.00, or both.

15 (4) A sentence imposed under subsection (3) shall be served
16 consecutively to any term of imprisonment imposed for the felony
17 committed or attempted and shall not be suspended.

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

20 (a) A police officer of this state or a political subdivision
21 of this state.

22 (b) A police officer of a junior college, college, or
23 university who is authorized by the governing board of that
24 junior college, college, or university to enforce state law and
25 the rules and ordinances of that junior college, college, or
26 university.

27 (c) A conservation officer of the department of natural

1 resources or the department of environmental quality.

2 (d) A conservation officer of the United States department of
3 the interior.