



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5719 (Substitute S-1 as reported)
Sponsor: Representative Bill Caul
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend the Michigan Penal Code to prohibit a person from selling, furnishing, possessing, wearing, exhibiting, displaying, or using the badge, patch, or uniform, or facsimile of the badge, patch, or uniform, of any organized fire department, life support agency, or medical first response service unless the person was authorized to receive or possess the item by the chief officer of the fire department, life support agency, or medical first response service; the person was a member of the fire department or an employee of the life support agency or medical first response service; the badge was a retirement badge and was in the possession of the retired individual or his or her spouse, child, or next of kin; the person was in the theatrical profession and wore the badge, patch, uniform, or facsimile while actually engaged in that profession; or the person was a collector of badges, patches, uniforms, or facsimiles. An item possessed as part of a collection would have to be in a container or display case when being transported.

In addition, a person who was not a member of an organized fire department or an employee of a life support agency or medical first response service could not wear or display the emblem, insignia, logo, service mark, or other identification of any fire department, life support agency, or medical first response service, or a facsimile of any of those items, if the person represented himself or herself to another person as being a member or employee of that organization, or if the wearing or display occurred in a manner that would lead a reasonable person falsely to believe that the fire department, life support agency, or medical first response service was promoting or endorsing a commercial service or product of a charitable endeavor.

A violation of the bill would be a misdemeanor punishable by imprisonment for up to 93 days, a maximum fine of \$500, or both.

The bill would take effect October 1, 2006.

Proposed MCL 750.217g & 750.217h

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on local government. There are no data to indicate how many offenders would be convicted of the proposed offense. Local governments would incur the costs of misdemeanor probation and incarceration in local facilities, which vary by county. Additional penal fine revenue would benefit public libraries.

Date Completed: 9-6-06

Fiscal Analyst: Lindsay Hollander