

HOUSE BILL No. 4865

June 2, 2005, Introduced by Reps. Caul, Sak, Palmer, Casperson, Hansen, Rocca, Murphy, LaJoy, Green, Stahl, Polidori, Newell, Marleau, Proos, Pearce, Jones, Booher, Pavlov, Emmons and Moolenaar and referred to the Committee on Judiciary.

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 217f.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 217F. (1) AN INDIVIDUAL WHO IS NOT EMPLOYED AS A
2 FIREFIGHTER OR EMERGENCY MEDICAL SERVICE PROVIDER SHALL NOT INFORM
3 ANOTHER INDIVIDUAL OR REPRESENT TO ANOTHER INDIVIDUAL BY
4 IDENTIFICATION OR ANY OTHER MEANS THAT HE OR SHE IS EMPLOYED IN 1
5 OF THOSE CAPACITIES WITH INTENT TO DO 1 OR MORE OF THE FOLLOWING:

6 (A) PERFORM THE DUTIES OF A FIREFIGHTER OR EMERGENCY MEDICAL
7 SERVICE PROVIDER.

8 (B) REPRESENT TO ANOTHER PERSON THAT HE OR SHE IS A

1 FIREFIGHTER OR EMERGENCY MEDICAL SERVICE PROVIDER FOR ANY UNLAWFUL
2 PURPOSE.

3 (C) REPRESENT TO ANOTHER PERSON THAT HE OR SHE IS A
4 FIREFIGHTER OR EMERGENCY MEDICAL SERVICE PROVIDER WITH INTENT TO
5 COMPEL THE PERSON TO DO OR REFRAIN FROM DOING ANY ACT AGAINST HIS
6 OR HER WILL.

7 (D) GAIN OR ATTEMPT TO GAIN ENTRY TO A RESIDENCE, BUILDING,
8 STRUCTURE, FACILITY, OR OTHER PROPERTY.

9 (E) REMAIN OR ATTEMPT TO REMAIN IN OR UPON A RESIDENCE,
10 BUILDING, STRUCTURE, FACILITY, OR OTHER PROPERTY.

11 (F) GAIN OR ATTEMPT TO GAIN ACCESS TO FINANCIAL ACCOUNT
12 INFORMATION.

13 (G) COMMIT OR ATTEMPT TO COMMIT A CRIME.

14 (H) OBTAIN OR ATTEMPT TO OBTAIN INFORMATION TO WHICH THE
15 INDIVIDUAL IS NOT ENTITLED.

16 (I) GAIN ACCESS OR ATTEMPT TO GAIN ACCESS TO A PERSON LESS
17 THAN 18 YEARS OF AGE OR A VULNERABLE ADULT. AS USED IN THIS
18 SUBDIVISION, "VULNERABLE ADULT" MEANS AN INDIVIDUAL AGE 18 OR OLDER
19 WHO, BECAUSE OF AGE, DEVELOPMENTAL DISABILITY, MENTAL ILLNESS, OR
20 DISABILITY, WHETHER OR NOT DETERMINED BY A COURT TO BE AN
21 INCAPACITATED INDIVIDUAL IN NEED OF PROTECTION, LACKS THE COGNITIVE
22 SKILLS REQUIRED TO MANAGE HIS OR HER PROPERTY.

23 (2) AN INDIVIDUAL WHO VIOLATES SUBSECTION (1) IS GUILTY OF A
24 FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR A
25 FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

26 (3) A SENTENCE IMPOSED UNDER SUBSECTION (2) MAY BE ORDERED TO
27 BE SERVED CONSECUTIVELY TO ANY TERM OF IMPRISONMENT IMPOSED FOR

1 ANOTHER VIOLATION ARISING FROM THE SAME TRANSACTION.