

SUBSTITUTE FOR
SENATE BILL NO. 1313

A bill to amend 1931 PA 328, entitled
"The Michigan penal code,"
(MCL 750.1 to 750.568) by adding section 81e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 81E. (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A
2 PERSON WHO ASSAULTS, BATTERS, OR ASSAULTS AND BATTERS AN INDIVIDUAL
3 WHILE THE INDIVIDUAL IS PERFORMING HIS OR HER DUTIES AS AN EMPLOYEE
4 OR CONTRACTOR OF A PUBLIC UTILITY OR BECAUSE OF THE INDIVIDUAL'S
5 STATUS AS AN EMPLOYEE OR CONTRACTOR OF A PUBLIC UTILITY IS GUILTY
6 OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1
7 YEAR OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

1 (2) A PERSON WHO ASSAULTS, BATTERS, OR ASSAULTS AND BATTERS AN
2 INDIVIDUAL WHILE THE INDIVIDUAL IS PERFORMING HIS OR HER DUTIES AS
3 AN EMPLOYEE OR CONTRACTOR OF A PUBLIC UTILITY OR BECAUSE OF THE
4 INDIVIDUAL'S STATUS AS AN EMPLOYEE OR CONTRACTOR OF A PUBLIC
5 UTILITY CAUSING THE INDIVIDUAL BODILY INJURY REQUIRING MEDICAL
6 ATTENTION OR MEDICAL CARE IS GUILTY OF A FELONY PUNISHABLE BY
7 IMPRISONMENT FOR NOT MORE THAN 2 YEARS OR A FINE OF NOT MORE THAN
8 \$1,000.00, OR BOTH.

9 (3) A PERSON WHO ASSAULTS, BATTERS, OR ASSAULTS AND BATTERS AN
10 INDIVIDUAL WHILE THE INDIVIDUAL IS PERFORMING HIS OR HER DUTIES AS
11 AN EMPLOYEE OR CONTRACTOR OF A PUBLIC UTILITY OR BECAUSE OF THE
12 INDIVIDUAL'S STATUS AS AN EMPLOYEE OR CONTRACTOR OF A PUBLIC
13 UTILITY CAUSING THE INDIVIDUAL SERIOUS IMPAIRMENT OF A BODY
14 FUNCTION IS GUILTY OF A FELONY PUNISHABLE BY IMPRISONMENT FOR NOT
15 MORE THAN 5 YEARS OR A FINE OF NOT LESS THAN \$1,000.00 OR MORE THAN
16 \$5,000.00, OR BOTH.

17 (4) THIS SECTION DOES NOT PROHIBIT A PERSON FROM BEING CHARGED
18 WITH, CONVICTED OF, OR PUNISHED FOR ANY OTHER VIOLATION OF LAW
19 ARISING OUT OF THE SAME TRANSACTION AS THE VIOLATION OF THIS
20 SECTION.

21 (5) AS USED IN THIS SECTION:

22 (A) "PUBLIC UTILITY" MEANS A UTILITY THAT PROVIDES STEAM, GAS,
23 HEAT, ELECTRICITY, WATER, CABLE TELEVISION, TELECOMMUNICATIONS
24 SERVICES, OR PIPELINE SERVICES, WHETHER PRIVATELY, MUNICIPALLY, OR
25 COOPERATIVELY OWNED.

26 (B) "SERIOUS IMPAIRMENT OF A BODY FUNCTION" MEANS THAT TERM AS
27 DEFINED IN SECTION 58C OF THE MICHIGAN VEHICLE CODE, 1949 PA 300,

Senate Bill No. 1313 (S-1) as amended July 1, 2010

1 **MCL 257.58C.**

[Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.]