

Act No. 131
Public Acts of 2010
Approved by the Governor
July 21, 2010
Filed with the Secretary of State
July 21, 2010
EFFECTIVE DATE: October 19, 2010

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2010**

Introduced by Senators Clark-Coleman, Olshove, Whitmer, Jacobs, Switalski, Anderson, Hunter, Barcia, Gleason, Brater, Cherry, Clarke, Prusi, Patterson, Birkholz, Kuipers, Brown, Nofs and Richardville

ENROLLED SENATE BILL No. 1313

AN ACT to amend 1931 PA 328, entitled "An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," (MCL 750.1 to 750.568) by adding section 81e.

The People of the State of Michigan enact:

Sec. 81e. (1) Except as otherwise provided in this section, a person who assaults, batters, or assaults and batters an individual while the individual is performing his or her duties as an employee or contractor of a public utility or because of the individual's status as an employee or contractor of a public utility is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$1,000.00, or both.

(2) A person who assaults, batters, or assaults and batters an individual while the individual is performing his or her duties as an employee or contractor of a public utility or because of the individual's status as an employee or contractor of a public utility causing the individual bodily injury requiring medical attention or medical care is guilty of a felony punishable by imprisonment for not more than 2 years or a fine of not more than \$1,000.00, or both.

(3) A person who assaults, batters, or assaults and batters an individual while the individual is performing his or her duties as an employee or contractor of a public utility or because of the individual's status as an employee or contractor of a public utility causing the individual serious impairment of a body function is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not less than \$1,000.00 or more than \$5,000.00, or both.

(4) This section does not prohibit a person from being charged with, convicted of, or punished for any other violation of law arising out of the same transaction as the violation of this section.

(5) As used in this section:

(a) "Public utility" means a utility that provides steam, gas, heat, electricity, water, cable television, telecommunications services, or pipeline services, whether privately, municipally, or cooperatively owned.

(b) "Serious impairment of a body function" means that term as defined in section 58c of the Michigan vehicle code, 1949 PA 300, MCL 257.58c.

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

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved

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Governor