

# HOUSE BILL No. 4998

September 20, 2017, Introduced by Rep. Barrett and referred to the Committee on Law and Justice.

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 215 (MCL 750.215), as amended by 2003 PA 15.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 215. (1) An individual who is not a peace officer or a  
2 medical examiner shall not do any of the following:

3           (a) Perform the duties of a peace officer or a medical  
4 examiner.

5           (b) Represent to another person that he or she is a peace  
6 officer or a medical examiner for any unlawful purpose.

7           (c) Represent to another person that he or she is a peace  
8 officer or a medical examiner with the intent to compel the person  
9 to do or refrain from doing any act against his or her will.

1           (2) Except as provided in subsection (3), an individual who  
2 violates subsection (1) is guilty of a misdemeanor punishable by  
3 imprisonment for not more than 1 year or a fine of not more than  
4 \$1,000.00, or both.

5           (3) An individual who, in violation of subsection (1),  
6 performs the duties of a peace officer to commit or attempt to  
7 commit a crime or represents to another person that he or she is a  
8 peace officer to commit or attempt to commit a crime is guilty of a  
9 felony punishable by imprisonment for not more than 4 years or a  
10 fine of not more than \$5,000.00, or both.

11           (4) A sentence imposed under subsection (3) may be ordered to  
12 be served consecutively to any term of imprisonment imposed for  
13 another violation arising from the same transaction.

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

16           (a) A sheriff or deputy sheriff of a county of this state or  
17 another state.

18           (b) An officer of the police department of a city, village, or  
19 township of this state or another state.

20           (c) A marshall of a city, village, or township.

21           (d) A constable.

22           (e) An officer of the Michigan state police.

23           (f) A conservation officer.

24           (g) A security employee employed by the state pursuant to  
25 section 6c of 1935 PA 59, MCL 28.6c.

26           (h) A motor carrier officer appointed pursuant to section 6d  
27 of 1935 PA 59, MCL 28.6d.

1 (i) A police officer or public safety officer of a community  
2 college, college, or university who is authorized by the governing  
3 board of that community college, college, or university to enforce  
4 state law and the rules and ordinances of that community college,  
5 college, or university.

6 (j) A park and recreation officer commissioned ~~pursuant to~~  
7 **UNDER** section 1606 of the natural resources and environmental  
8 protection act, 1994 PA 451, MCL 324.1606.

9 (k) A state forest officer commissioned ~~pursuant to~~**UNDER**  
10 section 83107 of the natural resources and environmental protection  
11 act, 1994 PA 451, MCL 324.83107.

12 (l) A federal law enforcement officer.

13 (m) An investigator of the state department of attorney  
14 general.

15 **(N) A RAILROAD POLICE OFFICER APPOINTED, COMMISSIONED, AND**  
16 **ACTING AS PROVIDED IN SECTION 367 OF THE RAILROAD CODE OF 1993,**  
17 **1993 PA 354, MCL 462.367.**

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