

Act No. 448
Public Acts of 2018
Approved by the Governor
December 20, 2018
Filed with the Secretary of State
December 21, 2018
EFFECTIVE DATE: March 21, 2019

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Rep. Barrett

ENROLLED HOUSE BILL No. 4998

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 criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 215 (MCL 750.215), as amended by 2003 PA 15.

The People of the State of Michigan enact:

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

- (a) Perform the duties of a peace officer or a medical examiner.
- (b) Represent to another person that he or she is a peace officer or a medical examiner for any unlawful purpose.
- (c) Represent to another person that he or she is a peace officer or a medical examiner with the intent to compel the person to do or refrain from doing any act against his or her will.

(2) Except as provided in subsection (3), an individual who violates subsection (1) 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.

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

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

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

- (a) A sheriff or deputy sheriff of a county of this state or another state.
- (b) An officer of the police department of a city, village, or township of this state or another state.
- (c) A marshall of a city, village, or township.
- (d) A constable.
- (e) An officer of the Michigan state police.
- (f) A conservation officer.
- (g) A security employee employed by the state pursuant to section 6c of 1935 PA 59, MCL 28.6c.
- (h) A motor carrier officer appointed pursuant to section 6d of 1935 PA 59, MCL 28.6d.

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

(j) A park and recreation officer commissioned under section 1606 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1606.

(k) A state forest officer commissioned under section 83107 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.83107.

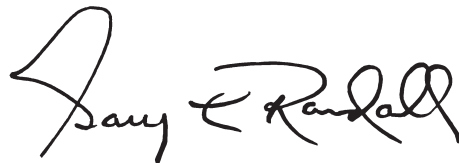
(l) A federal law enforcement officer.

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

(n) A railroad police officer appointed, commissioned, and acting as provided in section 367 of the railroad code of 1993, 1993 PA 354, MCL 462.367.

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.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor