

# HOUSE BILL NO. 4007

January 26, 2021, Introduced by Rep. Eisen 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 528b.

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

1           **Sec. 528b. (1) Except as provided in subsection (2), a person**  
2 **who assaults, by doing either of the following, a first responder**  
3 **who is discharging or attempting to discharge his or her duties**  
4 **during a riot or civil disturbance is guilty of a felony punishable**  
5 **by imprisonment for not more than 5 years or a fine of not more**

1 than \$5,000.00, or both:

2 (a) Knowingly causing bodily injury to a first responder.

3 (b) Knowingly causing physical contact with a first responder  
4 that a reasonable person would regard as extremely offensive or  
5 provocative, including, but not limited to, spitting, throwing, or  
6 otherwise transferring bodily fluids, bodily pathogens, or human  
7 waste onto a first responder.

8 (2) A person who violates subsection (1) resulting in or  
9 involving any of the following is guilty of a felony punishable by  
10 imprisonment for not more than 20 years or a fine of not more than  
11 \$20,000.00, or both:

12 (a) A serious bodily injury to a first responder.

13 (b) The death of a first responder.

14 (c) The use or display of a deadly weapon.

15 (d) The strangulation or attempted strangulation of a first  
16 responder.

17 (3) As used in this section:

18 (a) "Emergency medical technician" means that term as defined  
19 in section 20904 of the public health code, 1978 PA 368, MCL  
20 333.20904.

21 (b) "Firefighter" means that term as defined in section 2 of  
22 the firefighters training council act, 1966 PA 291, MCL 29.362.

23 (c) "First responder" means a firefighter, a law enforcement  
24 officer, an emergency medical technician, or a paramedic.

25 (d) "Law enforcement officer" means that term as defined in  
26 section 2 of the Michigan commission on law enforcement standards  
27 act, 1965 PA 203, MCL 28.602.

28 (e) "Paramedic" means that term as defined in section 20908 of  
29 the public health code, 1978 PA 368, MCL 333.20908.

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