

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.216a Badge, patch, or uniform of law enforcement agency or facsimile; selling, furnishing, possessing, wearing, exhibiting, displaying, or using; violation as misdemeanor; "facsimile" defined; exception.

Sec. 216a. (1) A person shall not sell, furnish, possess, wear, exhibit, display, or use the badge, patch, or uniform, or facsimile of the badge, patch, or uniform, of any law enforcement agency unless any of the following apply:

(a) The person receiving or possessing the badge, patch, uniform, or facsimile is authorized to receive or possess the badge, patch, uniform, or facsimile by the chief officer of the law enforcement agency.

(b) The person receiving or possessing the badge, patch, uniform, or facsimile is a member of the law enforcement agency.

(c) The badge is a retirement badge and is in the possession of the retired law enforcement officer.

(d) The badge, patch, or uniform is the badge, patch, or uniform of a deceased law enforcement officer and is in the possession of his or her spouse, child, or next of kin.

(e) The person receiving, possessing, exhibiting, displaying, or using the badge, patch, uniform, or facsimile is a collector of badges, patches, uniforms, or facsimiles. A badge, patch, uniform, or facsimile possessed as part of a collection shall be in a container or display case when being transported.

(f) The person is in the theatrical profession and wears the badge, patch, uniform, or facsimile while actually engaged in following that profession.

(2) A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both. A charge under or a conviction or punishment for a violation of this section does not prevent a person from being charged with, convicted of, or punished for any other violation of law arising from the same transaction.

(3) As used in this section and section 216b, "facsimile" includes both an exact replica of an existing item and a close imitation of an existing item.

(4) This section does not apply to a person appointed by a court of this state to serve as a bailiff or court officer under section 8321 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8321, or under MCR 3.106 or MCR 2.103.

History: Add. 1985, Act 78, Eff. Mar. 31, 1986;—Am. 2005, Act 314, Eff. Jan. 1, 2006.