

HOUSE BILL No. 4966

July 12, 1989, Introduced by Reps. Niederstadt, Hart, Rocca, Gire, DeBeaussaert, Weeks, Bartnik, DeMars and Sofio and referred to the Committee on Judiciary.

A bill to amend sections 244, 246, and 247 of Act No. 328 of the Public Acts of 1931, entitled "The Michigan penal code," being sections 750.244, 750.246, and 750.247 of the Michigan Compiled Laws; and to repeal certain parts of the act.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 244, 246, and 247 of the Act No. 328 of
2 the Public Acts of 1931, being sections 750.244, 750.246, and
3 750.247 of the Michigan Compiled Laws, are amended to read as
4 follows:

5 Sec. 244. ~~Definitions The words~~ AS USED IN THIS CHAPTER,
6 "flag", "standard", "color", "ensign", "coat-of-arms", or
7 "shield" ~~, as used in this chapter, shall include any~~ MEANS A
8 flag, standard, color, ensign, coat-of-arms, or shield ~~, or copy,~~
9 ~~picture or representation thereof, made of any substance or~~

1 ~~represented or produced thereon, and of any size, evidently~~
2 ~~purporting to be such flag, standard, color, ensign, coat of arms~~
3 ~~or shield~~ of the United States or of this state. ~~, or a copy,~~
4 ~~picture or representation thereof.~~

5 Sec. 246. ~~Mutilation of flag, etc. Any~~ A person who
6 ~~shall~~ publicly ~~mutilate, deface, defile, defy, trample upon or~~
7 ~~by word or act cast contempt upon any such~~ DESECRATES, MUTI-
8 LATES, DEFACES, OR DEFILES A flag, standard, color, ensign,
9 coat-of-arms, or shield, AS DEFINED IN SECTION 244, is guilty of
10 a ~~misdemeanor~~ FELONY.

11 Sec. 247. ~~Exceptions~~ This chapter ~~shall~~ DOES not
12 apply to any act permitted by THE CONSTITUTION OF THE UNITED
13 STATES, THE CONSTITUTION OF THIS STATE, the statutes of the
14 United States or of this state, or ~~by~~ the United States army
15 and navy regulations, nor ~~shall~~ DOES it apply to any printed or
16 written document or production, stationery, ornament, picture, or
17 jewelry ~~whereon shall be~~ ON WHICH IS depicted ~~said~~ THE flag,
18 standard, color, ensign, coat-of-arms, or shield with no design
19 or words thereon and disconnected with any advertisement.

20 Section 2. Section 245 of Act No. 328 of the Public Acts of
21 1931, being section 750.245 of the Michigan Compiled Laws, is
22 repealed.